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## Readopted Rules

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**TITLE 10 OFFICE OF ATTORNEY GENERAL  
FOR THE STATE**

LSA Document #01-311

Under IC 4-22-2.5-4, the Office of Attorney General for the State intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

**10 IAC 2 CONTRACT APPROVAL**

Questions or comments on the readoption may be directed by mail to the Office of the Attorney General, Attention: Greg Zoeller, Indiana Government Center-South, Fifth Floor, 402 West Washington Street, Indianapolis, Indiana 46204 or by electronic mail to [gzoeller@atg.state.in.us](mailto:gzoeller@atg.state.in.us). Statutory authority: IC 4-13-2-14.3(e).

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**TITLE 60 OVERSIGHT COMMITTEE ON PUBLIC  
RECORDS**

LSA Document #01-318

Under IC 4-22-2.5-4, the Oversight Committee on Public Records intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted without changes are as follows:

**60 IAC 1.1 GENERAL PROVISIONS****60 IAC 2 MICROFILMING STANDARDS FOR SOURCE  
DOCUMENTS WITH A RETENTION PERIOD  
OF MORE THAN FIFTEEN (15) YEARS**

Questions or comments on the readoption may be directed by mail to Oversight Committee on Public Records, Attention: Jerry Handfield, Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 or by electronic mail to [jhandfield@icpr.state.in.us](mailto:jhandfield@icpr.state.in.us). Statutory authority: IC 5-15-5.1-19; IC 5-15-5.1-20.

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**TITLE 65 STATE LOTTERY COMMISSION**

LSA Document #01-286

Under IC 4-22-2.5-4, the State Lottery Commission intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted are as follows:

65 IAC 1 THE COMMISSION  
65 IAC 2 PROCUREMENT  
65 IAC 3 RETAILERS  
65 IAC 4-1 Definitions  
65 IAC 4-2 General Provisions  
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65 IAC 5-2 General Provisions  
65 IAC 5-3 Payment of Prizes  
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65 IAC 5-7 Lotto America  
65 IAC 5-9 Lucky 5  
65 IAC 5-10 Hoosier Lotto  
65 IAC 5-12 Hoosier Lottery Powerball  
65 IAC 6-1 Definitions  
65 IAC 6-2 General Provisions  
65 IAC 6-3 Payment of Prizes

Questions or comments on the readoption may be directed by mail to Janna J. Shisler, General Counsel, the State Lottery Commission, 201 South Capitol Avenue, Suite 1100, Indianapolis, Indiana 46225 or by electronic mail to [jshisler@hoosierlottery.com](mailto:jshisler@hoosierlottery.com). Statutory authority: IC 4-30-1.

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**TITLE 130 INDIANA PORT COMMISSION**

LSA Document #01-319

Under IC 4-22-2.5-4, the Indiana Port Commission intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be adopted without changes are as follows:

**130 IAC 1 REGULATION OF TRAFFIC; PROTECTION  
OF PROPERTY; PRESERVATION OF ORDER**

Questions or comments on the readoption may be addressed to William T. Niemier, General Counsel, 150 West Market Street,

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## Readopted Rules

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Suite 100, Indianapolis, Indiana 46204 or by electronic mail to [wniemier@indports.com](mailto:wniemier@indports.com). Statutory authority: IC 8-10-7; IC 8-10-1-9.

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### TITLE 210 DEPARTMENT OF CORRECTION

LSA Document #01-292

Under IC 4-22-2.5-4, the Department of Correction intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted without changes are as follows:

- 210 IAC 1 GENERAL PROVISIONS
- 210 IAC 2 COMMUNITY BASED CORRECTIONS
- 210 IAC 3 COUNTY JAIL STANDARDS
- 210 IAC 4 JUVENILE DETENTION FACILITIES
- 210 IAC 5 PAROLE AUTHORITY FOR JUVENILES

Questions or comments on the readoption may be directed by mail to the Department of Correction, Attn: Legal Services Division, Indiana Government Center-South, 302 West Washington Street, Room E334, Indianapolis, Indiana 46204 or by electronic mail to [visitors@coa.doc.state.in.us](mailto:visitors@coa.doc.state.in.us). Statutory authority: IC 11-8-2-5(b)(1).

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### TITLE 220 PAROLE BOARD

LSA Document #01-291

Under IC 4-22-2.5-4, the Parole Board intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### 220 IAC 1.1 GENERAL PROVISIONS

Question or comments on the readoption may be directed by mail to the Parole Board, Attention: Raymond J. Justak, Indiana Government Center-South, 302 West Washington Street, Room E321, Indianapolis, Indiana 46204 or by electronic mail to [rjustak@coa.doc.state.in.us](mailto:rjustak@coa.doc.state.in.us). Statutory authority: IC 11-9-1-1; IC 11-9-1-12; IC 11-9-2-1; IC 11-13-3-2; IC 11-13-3-3; IC 11-13-3-4.

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### TITLE 270 ADJUTANT GENERAL

LSA Document #01-320

Under IC 4-22-2.5-4, the Adjutant General intends to readopt

rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### 270 IAC 1 MILITARY PROPERTY

Questions or comments on the readoption may be directed by mail to the Office of the Adjutant General, Attention: LTC George Thompson, 2002 South Holt Road, Indianapolis, Indiana 46241 or by electronic mail to [george.thompson@in.ngb.army.mil](mailto:george.thompson@in.ngb.army.mil). Statutory authority: IC 10-2-6-8.

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### TITLE 370 STATE EGG BOARD

LSA Document #01-317

Under IC 4-22-2.5-4, the State Egg Board intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted without changes are as follows:

- 370 IAC 1-1 Statement of Order and Definition
- 370 IAC 1-2 Temperature Requirements
- 370 IAC 1-3 Display and Labeling; Restricted Eggs
- 370 IAC 1-4 Inspections and Non-compliance
- 370 IAC 1-5 Advertising
- 370 IAC 1-6 Grade and Size Identification
- 370 IAC 1-8 Fresh Eggs
- 370 IAC 1-9 Wholesaler Records
- 370 IAC 1-10 Sanitation Requirements

Questions or comments on the readoption may be directed by mail to the State Egg Board, 1026 Poultry Science Building, Room 101, West Lafayette, Indiana 47907 or by electronic mail to [dsteen@purdue.edu](mailto:dsteen@purdue.edu). Statutory authority: IC 16-42-11-5.

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### TITLE 550 BOARD OF TRUSTEES OF THE INDIANA STATE TEACHERS' RETIREMENT FUND

LSA Document #01-287

Under IC 4-22-2.5-4, the Board of Trustees of the Indiana State Teachers' Retirement Fund intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted without changes are as follows:

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## Readopted Rules

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550 IAC 2-1 Definitions  
550 IAC 2-2 Administrative Matters  
550 IAC 2-3 Suspension of Membership  
550 IAC 2-4 Membership  
550 IAC 2-5 Service Credit and Contributions  
550 IAC 2-6 Death in Service Benefits  
550 IAC 2-7 Retirement  
550 IAC 2-8 Reemployment  
550 IAC 2-9 Disability  
550 IAC 3 MODEL PLAN AMENDMENT

Questions or comments on the readoption may be directed by mail to the Indiana State Teachers' Retirement Fund, 150 West Market Street, Suite No. 300, Indianapolis, Indiana 46204 or by electronic mail to [tdavidson@trf.state.in.us](mailto:tdavidson@trf.state.in.us). Statutory authority: IC 21-6.1-3-6.

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### **TITLE 570 INDIANA COMMISSION ON PROPRIETARY EDUCATION**

LSA Document #01-285

Under IC 4-22-2.5-4, the Indiana Commission on Proprietary Education intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### **570 IAC 1 GENERAL PROVISIONS**

Questions or comments on the readoption may be directed by mail to the Indiana Commission on Proprietary Education, Indiana Government Center-South, 302 West Washington Street, Room E201, Indianapolis, Indiana 46204-2767 or by electronic mail to [COPE@cpe.state.in.us](mailto:COPE@cpe.state.in.us). Statutory authority: IC 20-1-19.

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### **TITLE 610 DEPARTMENT OF LABOR**

LSA Document #01-313

Under IC 4-22-2.5-4, the Department of Labor intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### **610 IAC 4 SAFETY EDUCATION AND TRAINING) OCCUPATIONAL SAFETY**

Questions or comments on the readoption may be directed by mail to the Department of Labor, Indiana Government Center-South, 402 West Washington Street, Room W195, Indianapolis, Indiana 46204. Statutory authority: IC 22-8-1.1-48.1.

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### **TITLE 615 BOARD OF SAFETY REVIEW**

LSA Document #01-314

Under IC 4-22-2.5-4, the Board of Safety Review intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### **615 IAC 1-2 Procedures Governing Adjudicative Proceedings Before the Board of Safety Review**

Questions or comments on the readoption may be directed by mail to the Board of Safety Review, Indiana Government Center-South, 402 West Washington Street, Room W195, Indianapolis, Indiana 46204. Statutory authority: IC 4-21.5-3-35; IC 22-8-1.1-48.1.

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### **TITLE 620 OCCUPATIONAL SAFETY STANDARDS COMMISSION**

LSA Document #01-315

Under IC 4-22-2.5-4, the Occupational Safety Standards Commission intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

#### **620 IAC 1-3 Procedures Governing Permanent and Temporary Variances**

Questions or comments on the readoption may be directed by mail to the Occupational Safety Standards Commission, Indiana Government Center-South, 402 West Washington Street, Room W195, Indianapolis, Indiana 46204. Statutory authority: IC 4-21.5-3-35; IC 22-8-1.1-48.1.

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## Readopted Rules

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### **TITLE 844 MEDICAL LICENSING BOARD OF INDIANA**

LSA Document #01-312

Under IC 4-22-2.5-4, the Medical Licensing Board of Indiana intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rules to be readopted without changes are as follows:

- 844 IAC 4-6-1 Mandatory renewal; time
- 844 IAC 4-6-3 Mandatory renewal; oath
- 844 IAC 4-6-4 Mandatory renewal; fees
- 844 IAC 4-6-6 Mandatory renewal; failure to register
- 844 IAC 4-6-7 Practice after suspension
- 844 IAC 4-6-9 Inactive status
- 844 IAC 4-6-10 Probation, suspension, or revocation

Questions or comments on the readoption may be directed by mail to the Medical Licensing Board of Indiana, Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by electronic mail to [ajones@hpb.state.in.us](mailto:ajones@hpb.state.in.us). Statutory authority: IC 25-22.5-2-7.

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### **TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS**

LSA Document #01-321

Under IC 4-22-2.5-4, the Indiana Board of Veterinary Medical Examiners intends to readopt rules in anticipation of IC

4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

888 IAC 1.1-3-3 Registered veterinary technicians; fees

Questions or comments on the readoption may be directed by mail to the Health Professions Bureau, Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by electronic mail to [cvaught@hpb.state.in.us](mailto:cvaught@hpb.state.in.us). Statutory authority: IC 25-34.5-2-7.

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### **TITLE 920 INDIANA WAR MEMORIALS COMMISSION**

LSA Document #01-316

Under IC 4-22-2.5-4, the Indiana War Memorials Commission intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

**OVERVIEW:** Rule to be readopted without changes is as follows:

920 IAC 1 GENERAL PROVISIONS

Questions or comments on the readoption may be directed by mail to the Indiana War Memorials Commission, 431 North Meridian Street, Indianapolis, Indiana 46204 or by electronic mail to [bsweeney@iwm.state.in.us](mailto:bsweeney@iwm.state.in.us). Statutory authority: IC 10-7-2-9.

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## Readopted Rules

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### **TITLE 35 BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT FUND**

LSA Document #01-216

#### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with secretary of state.

<b>35 IAC 1.2-1-1</b>	<b>35 IAC 1.2-5-8</b>
<b>35 IAC 1.2-1-2</b>	<b>35 IAC 1.2-5-9</b>
<b>35 IAC 1.2-2</b>	<b>35 IAC 1.2-5-10</b>
<b>35 IAC 1.2-3</b>	<b>35 IAC 1.2-5-11</b>
<b>35 IAC 1.2-4-1</b>	<b>35 IAC 1.2-5-12</b>
<b>35 IAC 1.2-4-2</b>	<b>35 IAC 1.2-5-14</b>
<b>35 IAC 1.2-4-3</b>	<b>35 IAC 1.2-5-15</b>
<b>35 IAC 1.2-4-4</b>	<b>35 IAC 1.2-5-16</b>
<b>35 IAC 1.2-4-5</b>	<b>35 IAC 1.2-5-17</b>
<b>35 IAC 1.2-5-1</b>	<b>35 IAC 1.2-5-20</b>
<b>35 IAC 1.2-5-2</b>	<b>35 IAC 1.2-6</b>
<b>35 IAC 1.2-5-4</b>	<b>35 IAC 1.2-7</b>
<b>35 IAC 1.2-5-7</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

35 IAC 1.2-1-1	Administration
35 IAC 1.2-1-2	Delegation of authority; powers and duties of executive secretary
35 IAC 1.2-2	Definitions
35 IAC 1.2-3	Creditable Service
35 IAC 1.2-4-1	Members of the fund
35 IAC 1.2-4-2	Comprehensive Employment Training Act (CETA) administrators
35 IAC 1.2-4-3	School bus drivers
35 IAC 1.2-4-4	Students excluded
35 IAC 1.2-4-5	Prosecuting attorneys and deputy prosecuting attorneys
35 IAC 1.2-5-1	Retirement options
35 IAC 1.2-5-2	Disability benefits; eligibility
35 IAC 1.2-5-4	Disability alternatives
35 IAC 1.2-5-7	Service for disability and survivor benefits
35 IAC 1.2-5-8	Combined service in teachers' and public employees' retirement funds
35 IAC 1.2-5-9	Dependent beneficiaries
35 IAC 1.2-5-10	Designated dependent beneficiary
35 IAC 1.2-5-11	Benefits payable upon death
35 IAC 1.2-5-12	Minimum disability retirement benefit
35 IAC 1.2-5-14	Five year guaranteed benefits
35 IAC 1.2-5-15	No guarantee option
35 IAC 1.2-5-16	Teachers Insurance and Annuity Association-College Retirement Equities Fund (TIAA-CREF)

35 IAC 1.2-5-17	Birth date; proof required
35 IAC 1.2-5-20	Early retirement reduction of benefits
35 IAC 1.2-6	Miscellaneous
35 IAC 1.2-7	Administrative Proceedings

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on October 4, 2001 at 2:00 p.m., at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500, Board Room, Indianapolis, Indiana the Board of Trustees of the Public Employees' Retirement Fund will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Ed Gohmann  
Public Employees' Retirement Fund  
Harrison Building, Suite 500  
143 West Market Street  
Indianapolis, Indiana 46204*

*Copies of these rules are now on file at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

E. William Butler  
Executive Director  
Board of Trustees of the Public Employees' Retirement Fund

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### **TITLE 35 BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT FUND**

LSA Document #01-217

#### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with secretary of state.

<b>35 IAC 1.2-1-3</b>	<b>35 IAC 1.2-5-13</b>
<b>35 IAC 1.2-3-10</b>	<b>35 IAC 1.2-5-18</b>
<b>35 IAC 1.2-5-5</b>	<b>35 IAC 1.2-5-19</b>
<b>35 IAC 1.2-5-6</b>	<b>35 IAC 1.2-6-3</b>

SECTION 1. UNDER IC 4-22-2.5-3, 35 IAC 1.2-1-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **35 IAC 1.2-1-3 General powers**

**Authority:** IC 5-10.3-3-8  
**Affected:** IC 5-10.2; IC 5-10.3

## Readopted Rules

Sec. 3. The board may employ all necessary employees, attorneys, ~~as approved by the Indiana attorney general,~~ and consultants to carry out the powers and duties of the fund. (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-1-3; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1078*)

SECTION 2. UNDER IC 4-22-2.5-3, 35 IAC 1.2-3-10 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 35 IAC 1.2-3-10 Military service

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3-7-5

Sec. 10. In addition to the creditable service allowed by IC 5-10.3-7-5 for military service, a member is also entitled to creditable service as set forth at ~~38 U.S.C. 2021 et seq., Veterans Reemployment Rights.~~ **38 U.S.C. 4301, et seq., the Uniformed Services Employment and Reemployment Rights Act of 1994.** (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-3-10; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1080*)

SECTION 3. UNDER IC 4-22-2.5-3, 35 IAC 1.2-5-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 35 IAC 1.2-5-5 Basic salary defined

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3

Sec. 5. For the purpose of computing benefits, basic salary includes regular wages and overtime pay only. The salary shall not be reduced by any ~~deferred compensation plan.~~ **salary reduction amounts contributed to Internal Revenue Code Section 125, 457, or 403(b) plans.** Subsequent to July 1, 1987, prosecuting attorneys and deputy prosecuting attorneys paid with state funds shall have only those funds paid by the state considered for computing benefits. (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-5-5; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1082*)

SECTION 4. UNDER IC 4-22-2.5-3, 35 IAC 1.2-5-6 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 35 IAC 1.2-5-6 Reemployment

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2-4; IC 5-10.3-2-1

Sec. 6. (a) Reemployment terms are set forth at IC 5-10.2-4-8 through IC 5-10.2-4-10.

(b) Under IC 5-10.2-4-8, if the position in which the member is reemployed has an annual salary, which is more than the "exempt amount", then retirement benefit payments shall stop beginning the first of the month following the date ~~of the reemployment.~~ **that the member's year-to-date earnings from the reemployed position have exceeded the exempt amount.** (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-5-6; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1082*)

*ment Fund; 35 IAC 1.2-5-6; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1082*)

SECTION 5. UNDER IC 4-22-2.5-3, 35 IAC 1.2-5-13 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 35 IAC 1.2-5-13 Beneficiary designation

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3

Sec. 13. (a) Each member of PERF shall designate only one ~~(1) person as a primary beneficiary and only one (1) person as a contingent beneficiary. In lieu of a named individual, the designation of a trust, estate, or legal entity will also be acceptable; however, such designation will not allow the choice of a joint and survivor option.~~ **Active members may designate a primary beneficiary or beneficiaries and a contingent beneficiary or beneficiaries to receive the member's annuity savings account upon the death of the member. Such designations must be on the appropriate form. Forms must be filed and accepted by the fund before they are effective. Contingent beneficiaries shall receive the member's annuity savings account if no primary beneficiaries survive the member. If no primary and no contingent beneficiaries survive the member, the beneficiary shall be the member's estate. In lieu of a named individual, a member may designate a trust, estate, or other legal entity.**

(b) ~~If the primary beneficiary designated shall survive the member, he or she shall receive all benefits or funds from the member's participation in the public employees' retirement fund. If the primary beneficiary shall not survive the member, the contingent beneficiary shall receive such benefits or funds. If neither shall survive the member, the beneficiary shall be the member's estate. The member may reserve the right to change the primary or contingent beneficiary at any time prior to the first day of the month that benefits are scheduled to begin by filing a written notice of such change, duly witnessed, with the board of trustees of the public employees' retirement fund of Indiana. (See also section 1 of this rule.)~~ **Members electing a joint survivor option at retirement shall designate only one (1) person as beneficiary for their joint survivor benefits. The beneficiary must be a named individual.**

(c) ~~If more than one (1) beneficiary is named or if a nonspouse is named and the member dies with fifteen (15) or more years of service, then no employer financed monthly benefit will be paid. Retired members who choose a retirement option other than a joint and survivor option and who do not elect to withdraw the total balance of their annuity savings account may designate a primary beneficiary or beneficiaries and a contingent beneficiary or beneficiaries to receive the unpaid balance, if any, of the member's annuity savings account upon the death of the member. Such designations must be on the appropriate form. Forms must be filed and accepted by the fund before they are~~

effective. **Contingent beneficiaries shall receive the member's annuity savings account if no primary beneficiaries survive the member. If no primary and no contingent beneficiaries survive the member, the beneficiary shall be the member's estate. In lieu of a named individual, a member may designate a trust, estate, or other legal entity.** (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-5-13; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1083*)

SECTION 6. UNDER IC 4-22-2.5-3, 35 IAC 1.2-5-18 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**35 IAC 1.2-5-18 Minors and other incompetent persons**

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3; IC 29-3

Sec. 18. Minors and other incompetent beneficiaries are governed by Indiana guardianship law set forth in ~~IC 29-1-18~~, **IC 29-3**, Indiana Probate Code. **However, payments may be made to minor beneficiaries pursuant to the Uniform Transfers to Minors Act.** (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-5-18; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1084*)

SECTION 7. UNDER IC 4-22-2.5-3, 35 IAC 1.2-5-19 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**35 IAC 1.2-5-19 Proration of retirement costs**

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3

Sec. 19. (a) A member with service credit from more than one (1) employer shall have his retirement reserve cost prorated based on months of service among all his **or her** employers.

(b) Any employer may object to this basis of proration by written objection made within fifteen (15) days from receipt by the employer of notification of each such proration.

(c) The board of trustees may, if evidence of substantial inequity is presented by such objecting employer, use the following basis for reaching a result.

(d) The annual compensation for each calendar year or part thereof shall be divided by the annual average consumer price index figure (1967 = \$100) of the U.S. Bureau of Labor Statistics for each such year to determine a weighted salary for each year or part thereof.

(e) The PERF board shall prorate retirement reserve costs to participating employers on the basis of the weighted salary each has paid, **or such other method that, in the judgment of the PERF board, equitably allocates the retirement reserve cost between the member's employers.** (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-5-19; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1084*)

SECTION 8. UNDER IC 4-22-2.5-3, 35 IAC 1.2-6-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**35 IAC 1.2-6-3 Enlargement of PERF coverage**

Authority: IC 5-10.3-3-8

Affected: IC 5-10.2; IC 5-10.3-6-2

Sec. 3. (a) A political ~~subdivision~~ **subdivision** admitted to the fund or desiring to enlarge its participation in PERF to cover additional positions may do so by the following:

(1) A preliminary survey shall be requested and completed, **unless a survey is not required pursuant to IC 5-10.3-6-2.**

(2) Ordinance or resolution of the governing body specifying by departmental, occupational, or other definable classifications the employees who will be added. **and which must include each such position so covered.**

(3) Such ordinance or resolution must be filed with, and approved by, the board of trustees.

(4) The effective date of enlargement or admission is either January 1, or July 1, after the date of approval.

(5) The ordinance or resolution must be filed with the board prior to the effective date.

(b) No retirement benefit resulting from positions included in the enlargement or admission may be paid until six (6) months after the effective date of enlargement or admission. (*Board of Trustees of the Public Employees' Retirement Fund; 35 IAC 1.2-6-3; filed Dec 20, 1988, 1:00 p.m.: 12 IR 1085*)

**Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 4, 2001 at 2:00 p.m., at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500, Board Room, Indianapolis, Indiana the Board of Trustees of the Public Employees' Retirement Fund will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Ed Gohmann*

*Public Employees' Retirement Fund*

*Harrison Building, Suite 500*

*143 West Market Street*

*Indianapolis, Indiana 46204*

*Copies of these rules are now on file at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

E. William Butler

Director

Board of Trustees of the Public Employees' Retirement Fund

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## Readopted Rules

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### TITLE 35 BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT FUND

LSA Document #01-218

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with secretary of state.

**35 IAC 2**                      **35 IAC 6**  
**35 IAC 4**                      **35 IAC 8**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING  
ARE READOPTED:

35 IAC 2 POLICE AND FIREFIGHTERS' PENSION AND  
DISABILITY FUND (1977 FUND)  
35 IAC 4 CONSERVATION AND EXCISE OFFICERS'  
RETIREMENT FUND  
35 IAC 6 PENSION RELIEF FUND  
35 IAC 8 MODEL PLAN AMENDMENTS

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on October 4, 2001 at 2:00 p.m., at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500, Board Room, Indianapolis, Indiana the Board of Trustees of the Public Employees' Retirement Fund will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Ed Gohmann  
Public Employees' Retirement Fund  
Harrison Building, Suite 500  
143 West Market Street  
Indianapolis, Indiana 46204*

*Copies of these rules are now on file at the Board of Trustees of the Public Employees' Retirement Fund, Harrison Building, 143 West Market Street, Suite 500 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

E. William Butler  
Executive Director  
Board of Trustees of the Public Employees' Retirement Fund

### TITLE 240 STATE POLICE DEPARTMENT

LSA Document #01-185

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>240 IAC 1-4-1</b>	<b>240 IAC 1-5-5</b>
<b>240 IAC 1-4-2</b>	<b>240 IAC 1-5-6</b>
<b>240 IAC 1-4-4</b>	<b>240 IAC 1-5-7.1</b>
<b>240 IAC 1-4-5</b>	<b>240 IAC 1-5-8</b>
<b>240 IAC 1-4-18</b>	<b>240 IAC 1-5-23</b>
<b>240 IAC 1-4-22</b>	<b>240 IAC 3</b>
<b>240 IAC 1-5-1</b>	<b>240 IAC 5</b>
<b>240 IAC 1-5-2</b>	<b>240 IAC 6</b>
<b>240 IAC 1-5-3</b>	<b>240 IAC 7</b>
<b>240 IAC 1-5-4</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING  
ARE READOPTED:

240 IAC 1-4-1	Appointment policy
240 IAC 1-4-2	Appointment procedure
240 IAC 1-4-4	Selection process for appointment
240 IAC 1-4-5	Oath, affirmation before employment
240 IAC 1-4-18	Reappointment procedure
240 IAC 1-4-22	Personnel file; unsuccessful applicants
240 IAC 1-5-1	Appointment, reappointment; policy
240 IAC 1-5-2	Appointment, reappointment; applications
240 IAC 1-5-3	Appointment procedures
240 IAC 1-5-4	Appointment, reappointment; job qualifications
240 IAC 1-5-5	Reappointment exceptions
240 IAC 1-5-6	Appointment, reappointment; oath and affirmation
240 IAC 1-5-7.1	Appointment to motor carrier inspector positions; qualifications
240 IAC 1-5-8	Appointment, reappointment; background investigations
240 IAC 1-5-23	Reemployment of employees who are receiving benefits from the police benefit fund
240 IAC 3	FIREARMS LICENSING
240 IAC 5	COMMUNICATION SYSTEMS
240 IAC 6	CRIMINAL HISTORY RECORD INFORMATION
240 IAC 7	POLYGRAPH EXAMINERS

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on October 2, 2001 at 9:00 a.m., at the Indiana Govern-*

ment Center-North, 100 North Senate Avenue, Room 335, Indianapolis, Indiana the State Police Department will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Anthony Sommer, Staff Attorney

Indiana State Police

100 North Senate Avenue

Indiana Government Center-North, Room 340

Indianapolis, Indiana 46204

Copies of these rules are now on file at the Indiana Government Center-North, 100 North Senate Avenue, Room 340 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Anthony Sommer

Staff Attorney

State Police Department

## TITLE 590 INDIANA LIBRARY AND HISTORICAL BOARD

LSA Document #01-208

### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>590 IAC 1-1-0.5</b>	<b>590 IAC 1-2.5-1</b>
<b>590 IAC 1-1-0.6</b>	<b>590 IAC 1-2.5-2</b>
<b>590 IAC 1-1-1</b>	<b>590 IAC 1-2.5-3</b>
<b>590 IAC 1-1-2.5</b>	<b>590 IAC 1-3</b>
<b>590 IAC 1-2</b>	

SECTION 1. UNDER IC 4-22-2.5-3, THE FOLLOWING ARE READOPTED:

590 IAC 1-1-0.5	Purpose of rule
590 IAC 1-1-0.6	Definitions
590 IAC 1-1-2.5	Minimum standards for public libraries
590 IAC 1-2.5-1	Purpose of rule
590 IAC 1-3	Indiana Document Depository Libraries

SECTION 2. UNDER IC 4-23-2.5-3, 590 IAC 1-1-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 590 IAC 1-1-1 Eligibility to receive state funds; determination

Authority: IC 4-23-7-5

Affected: IC 4-23-7.1-11; IC 4-23-7.1-24; IC 20-14-12

Sec. 1. The eligibility of a public library to receive state **or federal** funds under the provisions of any program for which the Indiana state library is the administrator shall be determined as follows:

~~(a) by (1)~~ Compliance with any requirements that may be set forth in state legislation providing for such funds.

~~(b) by (2)~~ Compliance with Indiana law. ~~and~~

~~(c) by (3)~~ Compliance with the standards promulgated by the Indiana library and historical board.

(Indiana Library and Historical Board; Rule I, A.1; filed Dec 21, 1973, 3:15 p.m.: Rules and Regs. 1974, p. 362; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1966; errata, 9 IR 2063)

SECTION 3. UNDER IC 4-23-2.5-3, 590 IAC 1-2.5-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### Rule 2.5. Minimum Standards for the Indiana Cooperative Library Services Authority

#### 590 IAC 1-2.5-2 Definitions

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7.1; IC 20-14-8-1; IC 20-14-8-2; IC 20-14-12

Sec. 2. ~~As used in 590 IAC 1-2.5:~~ The following definitions apply throughout this rule:

(1) "Library" means a collection of books or other printed matter, audiovisual materials and other forms of recorded knowledge kept in a centralized place and under the responsibility of a person who has knowledge of their arrangement and use of library skills. The library is for the use of individuals or groups in meeting their recreational, informational, educational, research, or cultural needs.

(2) "Library services" means those activities in which libraries engage in the following:

~~(1) in (A)~~ The planning, management, budgeting, financing, purchasing, staffing, and evaluation of their libraries.

~~(2) in (B)~~ The selection, acquisition, processing, and maintenance of their collections of materials and the related bibliographic records. ~~and~~

~~(3) in (C)~~ The promotion, interpretation, servicing, and use of their library materials and facilities. ~~(IC 20-14-8-2).~~

(3) "Library services authority" means the Indiana cooperative library services authority.

(4) "Member libraries" means the libraries of the qualified entities (as defined in IC 20-14-8-1) that have adopted the joint agreement of an area library services authority or the Indiana cooperative a library services authority.

"Library services authority" for the purposes of these standards; this term applies only to the area library services authorities and the Indiana cooperative library services authority. (Indiana Library and Historical Board; 590 IAC 1-2.5-2; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1967; errata, 9 IR 2063)

SECTION 4. UNDER IC 4-23-2.5-3, 590 IAC 1-2.5-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

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## Readopted Rules

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### 590 IAC 1-2.5-3 Minimum standards for library services authorities

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7; IC 4-23-7.1; IC 20-14-8; IC 20-14-12

Sec. 3. (a) The library services authority shall operate in compliance with the Library Services Authority Act IC 20-14-8 and the Indiana Library and Historical Department Law IC 4-23-7.

(b) The library services authority shall be governed by written bylaws, administrative procedures, and rules for the conduct of business, copies of which shall be filed with the Indiana state library as adopted and amended.

(c) The library services authority shall develop a long range ~~five (5) year~~ plan that includes a statement of needs assessment, goals and program objectives, a method for annual review and evaluation, and a mechanism for the participation of member libraries in the planning and evaluation process. The plan should relate to the ~~philosophies~~ philosophies of the Indiana long range plan for library services and development. A copy of the plan shall be submitted to the Indiana state library.

(d) The library services authority shall comply with the laws governing municipal corporations and pertinent to the expenditure of public funds.

(e) The library services authority shall employ a chief administrative officer who holds an undergraduate degree from an accredited college or university, one (1) year of graduate library education, experience commensurate with responsibilities and eligibility for Librarian I certification as prescribed by the Indiana library certification board.

(f) At least fifty percent (50%) of the membership of the library services authority must be publicly supported libraries.

(g) The long range plans of the library services authorities shall address the provisions of the following services for members:

~~(1) Area library services authorities:~~

~~(A) Reference and referral services to supplement those provided by the local libraries.~~

~~(B) Interlibrary loan of materials, provided in accordance with the most recent edition of the Indiana resource sharing manual.~~

~~(C) Delivery service for the fast, efficient interlibrary loan of materials.~~

~~(D) Consultation, communication, and continuing education for libraries.~~

~~(2) Indiana cooperative library services authority:~~

~~(A) (1) Access to a national bibliographic utility.~~

~~(B) (2) Training and consultation in the area of automation, such as the following:~~

~~(A) Information retrieval.~~

~~(B) Retrospective conversion.~~

~~(C) Equipment and software purchasing.~~

~~(D) Electronic mail service.~~

~~(3) Reference and referral services to supplement those provided by the local libraries.~~

~~(4) Interlibrary loan of materials, provided in accordance with the most recent edition of the Indiana resource sharing manual.~~

~~(5) Delivery service for the fast, efficient interlibrary loan of materials.~~

~~(6) Consultation, communication, and continuing education for libraries.~~

(h) The library services authority shall file with the Indiana state library an annual report for the preceding year in the ~~form(s) form or forms~~ prescribed by the Indiana state library. Included in the report shall be a statement certifying which standards have been met including a statement outlining the authority's intention and specific measures planned to reach the remaining requirements not met at that time. (*Indiana Library and Historical Board; 590 IAC 1-2.5-3; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1967*)

SECTION 5. UNDER IC 4-22-2.5-3, 590 IAC 1-2 IS REPEALED.

### Notice of Public Hearing

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 17, 2001 at 10:00 a.m., at the Indianapolis-Marion County Public Library, 2450 North Meridian Street, Room 226B of the Library Services Center, Indianapolis, Indiana the Indiana Library and Historical Board will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Martha Roblee*

*Indiana State Library*

*140 North Senate Avenue*

*Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana State Library, 140 North Senate Avenue, Library Development Office, and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Charles R. Ewick

Director

Indiana State Library

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### TITLE 828 STATE BOARD OF DENTISTRY

LSA Document #01-193

DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that

all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**828 IAC 1-5-4**

**828 IAC 1-5-5**

SECTION 1. UNDER IC 4-22-2.5-3, 828 IAC 1-5-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**828 IAC 1-5-4 Civil penalties for a dental hygienist**

**Authority:** IC 25-13-2-10

**Affected:** IC 25-13-2-11; IC 25-13-2-12

Sec. 4. If a dental hygienist is not in compliance with IC 25-13-2 and is assessed a civil penalty under IC 25-13-2-11(b)(1) or IC 25-13-2-12(b)(1), the amount of the civil penalty shall be based on the number of continuing education credit hours needed **per license period** to be in compliance as follows:

Number of hours needed to be in compliance: Civil penalty:

1–2 hours	\$50
3–5 hours	\$100
6–10 hours	\$250
11– <del>15</del> 14 hours	\$375
<del>16–20</del> hours	<del>\$500</del>

(*State Board of Dentistry; 828 IAC 1-5-4; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1016*)

SECTION 2. UNDER IC 4-22-2.5-3, 828 IAC 1-5-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**828 IAC 1-5-5 Civil penalties for a dentist**

**Authority:** IC 25-14-3-12

**Affected:** IC 25-14-3-13; IC 25-14-3-14

Sec. 5. If a dentist is not in compliance with IC 25-14-3 and is assessed a civil penalty under IC 25-14-3-13(b)(1) or IC 25-14-3-14(b)(1), the amount of the civil penalty shall be based on the number of continuing education credit hours needed **per license period** to be in compliance as follows:

Number of hours needed to be in compliance: Civil penalty:

1–2 hours	\$100
3–5 hours	\$250
6–10 hours	\$500
11–15 hours	\$750
16–20 hours	\$1,000

(*State Board of Dentistry; 828 IAC 1-5-5; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1016*)

***Notice of Public Hearing***

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 17, 2001 at 10:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference*

*Center Room A, Indianapolis, Indiana the State Board of Dentistry will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Barbara Marvel McNutt*

*General Counsel*

*Health Professions Bureau*

*402 West Washington Street, Room W041*

*Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes

Executive Director

Health Professions Bureau

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**TITLE 839 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD**

LSA Document #01-156

**DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**839 IAC 1-1-1**

**839 IAC 1-4-4**

**839 IAC 1-1-3.6**

**839 IAC 1-4-7**

**839 IAC 1-1-3.7**

**839 IAC 1-5-4**

**839 IAC 1-1-3.8**

**839 IAC 1-5-5**

**839 IAC 1-2-3**

**839 IAC 1-6-4**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

839 IAC 1-1-1 Applicability

839 IAC 1-1-3.6 "LMFT" defined

839 IAC 1-1-3.7 "LMHC" defined

839 IAC 1-1-3.8 "LSW" defined

839 IAC 1-2-3 Verification; board authority

839 IAC 1-4-4 Standards for the competent practice of marriage and family therapy

839 IAC 1-4-7 Examination exemption for marriage and family therapists

839 IAC 1-5-4 Exemption from examination for mental health counselors

839 IAC 1-5-5 Standards for the competent practice of mental health counseling

839 IAC 1-6-4 Continuing education audit

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## Readopted Rules

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### Notice of Public Hearing

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on October 22, 2001 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 1, Indianapolis, Indiana the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Social Worker, Marriage and Family Therapist,  
and Mental Health Counselor Board*

*402 West Washington Street, Room W041*

*Indianapolis, Indiana 46204*

*or by electronic mail to: wlowhorn@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes

Executive Director

Health Professions Bureau

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### TITLE 839 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, AND MENTAL HEALTH COUNSELOR BOARD

LSA Document #01-157

#### DIGEST

Readopts a rule in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### 839 IAC 1-2-5

SECTION 1. UNDER IC 4-22-2.5-3, 839 IAC 1-2-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### 839 IAC 1-2-5 Fees

Authority: IC 25-1-8-2; IC 25-23.6-2-8

Affected: IC 25-23.6

Sec. 5. (a) Candidates for examination shall ~~purchase pay~~ the examination ~~fee~~ directly ~~from to~~ the examination service. ~~at the examination site.~~

(b) The application/issuance fee for licensure to practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall be ~~twenty fifty~~ dollars ~~(\$20).~~ **(\$50).**

(c) The fee for issuance of a temporary permit shall be ~~ten twenty-five~~ dollars ~~(\$10).~~ **(\$25).**

(d) The fee for verification of licensure to another state or jurisdiction shall be ten dollars (\$10).

(e) The fee for renewal of license to practice as a social worker, clinical social worker, marriage and family therapist, or mental health counselor shall be ~~twenty fifty~~ dollars ~~(\$20).~~ **(\$50).**

~~(f) The penalty fee for late renewal shall be ten dollars (\$10).~~

**(f) The fees are subject to change in accordance with the health professions bureau fee schedule.**

~~(g) Applicants will have seven (7) working days from the date an application is received by the board to submit a written withdrawal of the application at which one-half (1/2) of the application fee may be refunded. After seven (7) days, All application fees are nonrefundable. (Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board; 839 IAC 1-2-5; filed Nov 4, 1992, 5:00 p.m.: 16 IR 870; filed Dec 29, 1998, 10:57 a.m.: 22 IR 1505) NOTE: 839 IAC 1-2-6 was renumbered by Legislative Services Agency as 839 IAC 1-2-5.~~

### Notice of Public Hearing

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 22, 2001 at 9:40 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 1, Indianapolis, Indiana the Social Worker, Marriage and Family Therapist, and Mental Health Counselor Board will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Wade Lowhorn*

*Health Professions Bureau*

*402 West Washington Street, Room W041*

*Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes

Executive Director

Health Professions Bureau

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### TITLE 844 MEDICAL LICENSING BOARD OF INDIANA

LSA Document #01-170

#### DIGEST

Readopts rules in anticipation IC 4-22-2.5-2, providing that

all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>844 IAC 5</b>	<b>844 IAC 6-7</b>
<b>844 IAC 6-1</b>	<b>844 IAC 7</b>
<b>844 IAC 6-3</b>	<b>844 IAC 10-1</b>
<b>844 IAC 6-4</b>	<b>844 IAC 10-3</b>
<b>844 IAC 6-5</b>	<b>844 IAC 10-4</b>
<b>844 IAC 6-6</b>	<b>844 IAC 10-5</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

844 IAC 5 STANDARDS OF PROFESSIONAL CONDUCT AND COMPETENT PRACTICE OF MEDICINE

844 IAC 6-1 General Provisions

844 IAC 6-3 Admission to Practice

844 IAC 6-4 Registration of a Licensed Physical Therapist

844 IAC 6-5 Denial of License

844 IAC 6-6 Reinstatement of Suspended License

844 IAC 6-7 Standards of Professional Conduct

844 IAC 7 REINSTATEMENT TO PRACTICE

844 IAC 10-1 General Provisions

844 IAC 10-3 Admission to Practice

844 IAC 10-4 Certification

844 IAC 10-5 Standards of Competent Practice of Occupational Therapy

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on October 25, 2001 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Rooms 4 and 5, Indianapolis, Indiana the Medical Licensing Board of Indiana will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Angela Smith Jones, Director  
Medical Licensing Board of Indiana  
402 West Washington Street  
Indiana Government Center-South Room W041  
Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

### **TITLE 846 BOARD OF CHIROPRACTIC EXAMINERS**

LSA Document #01-221

#### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### **846 IAC 1-4-7**

SECTION 1. UNDER IC 4-22-2.5-3, 846 IAC 1-4-7 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **846 IAC 1-4-7 Fees**

**Authority:** IC 25-10-1-1.5

**Affected:** IC 25-10-1-5; IC 25-10-1-6

Sec. 7. The following fees shall apply to all licensed chiropractors and applicants for licensure:

Examination/issuance	<del>\$40</del> <b>\$100</b>
License renewal (July 1 of each even-numbered year)	<del>\$30</del> <b>\$100</b>
Inactive license renewal (July 1 of each even-numbered year)	<del>\$15</del> <b>\$50</b>
Endorsement in/issuance	<del>\$40</del> <b>\$100</b>
<del>Endorsement out</del> <b>Verification of licensure</b>	<del>\$10</del>
Duplicate wall license	<del>\$10</del>
Reinstatement of inactive license	<del>\$15</del>
<del>Penalty for late renewal</del>	<del>\$10</del>
Temporary permit	<del>\$10</del> <b>\$50</b>

*(Board of Chiropractic Examiners; 846 IAC 1-4-7; filed Dec 2, 1987, 9:30 a.m.: 11 IR 1292; filed Nov 15, 1990, 11:15 a.m.: 14 IR 755; filed May 20, 1996, 3:00 p.m.: 19 IR 2880; filed Mar 9, 1998, 9:30 a.m.: 21 IR 2390)*

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 4, 2001 at 9:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana the Board of Chiropractic Examiners will hold a public hearing to readopt rules.*

*Requests for any part of this readoption and amendments to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Cindy Vaught, Director  
Health Professions Bureau  
Indiana Board of Chiropractic Examiners  
402 West Washington Street  
Room W041  
Indianapolis, Indiana 46204  
E-mail: cvaught@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Govern-*

## Readopted Rules

ment Center-South, 402 West Washington Street, Room W041  
and Legislative Services Agency, One North Capitol, Suite 325,  
Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

856 IAC 1-34-2  
856 IAC 1-34-3  
856 IAC 1-34-4  
856 IAC 1-34-5  
856 IAC 1-35  
856 IAC 1-36-1  
856 IAC 1-36-2

856 IAC 1-36-3  
856 IAC 1-36-4  
856 IAC 1-36-5  
856 IAC 1-36-6  
856 IAC 1-36-7  
856 IAC 1-36-8  
856 IAC 1-36-9

### TITLE 856 INDIANA BOARD OF PHARMACY

LSA Document #01-150

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

856 IAC 1-1	856 IAC 1-29-1
856 IAC 1-2-1	856 IAC 1-29-2
856 IAC 1-2-2	856 IAC 1-29-3
856 IAC 1-2-3	856 IAC 1-29-4
856 IAC 1-2-4	856 IAC 1-29-5
856 IAC 1-3.1-1	856 IAC 1-29-6
856 IAC 1-3.1-2	856 IAC 1-29-7
856 IAC 1-3.1-3	856 IAC 1-29-9
856 IAC 1-3.1-4	856 IAC 1-30-1
856 IAC 1-3.1-5	856 IAC 1-30-2
856 IAC 1-3.1-6	856 IAC 1-30-3
856 IAC 1-3.1-7	856 IAC 1-30-4
856 IAC 1-3.1-9	856 IAC 1-30-5
856 IAC 1-3.1-10	856 IAC 1-30-6
856 IAC 1-3.1-11	856 IAC 1-30-7
856 IAC 1-3.1-12	856 IAC 1-30-8
856 IAC 1-3.1-13	856 IAC 1-30-9
856 IAC 1-4-1	856 IAC 1-30-10
856 IAC 1-4-2	856 IAC 1-30-11
856 IAC 1-4-4	856 IAC 1-30-12
856 IAC 1-5-1	856 IAC 1-30-13
856 IAC 1-7-1	856 IAC 1-30-14
856 IAC 1-7-2	856 IAC 1-30-15
856 IAC 1-7-3	856 IAC 1-30-16
856 IAC 1-7-4	856 IAC 1-30-17
856 IAC 1-12	856 IAC 1-30-18
856 IAC 1-13-3	856 IAC 1-31
856 IAC 1-13-4	856 IAC 1-32-1
856 IAC 1-15-1	856 IAC 1-32-2
856 IAC 1-20-1	856 IAC 1-32-3
856 IAC 1-21-1	856 IAC 1-32-4
856 IAC 1-23-1	856 IAC 1-33
856 IAC 1-26-1	856 IAC 1-34-1

SECTION 1. UNDER IC 4-22-2.5-3, THE FOLLOWING  
ARE READOPTED:

856 IAC 1-1	Definitions
856 IAC 1-2-4	Service by mail sufficient notice
856 IAC 1-3.1-1	Licensure by examination
856 IAC 1-3.1-2	Information for licensure
856 IAC 1-3.1-5	Pharmacist intern/extern; experience requirement
856 IAC 1-3.1-9	Pharmacist intern/extern; practical experience affidavits
856 IAC 1-3.1-11	Out of state externship and other practical experience programs
856 IAC 1-3.1-13	Fraud or misrepresentation in applying for or taking examination
856 IAC 1-7-1	Change of pharmacy ownership
856 IAC 1-7-2	Application for permit to conduct pharmacy
856 IAC 1-7-3	Relocation of pharmacy
856 IAC 1-7-4	Licensed pharmacist required for each pharmacy
856 IAC 1-13-3	"Prescription department closed" closing hours; electronic monitoring; applicability
856 IAC 1-13-4	Record of hours open without a pharmacist on duty
856 IAC 1-29-2	Online retrieval and printout capabilities; data requirements; discontinuance of system
856 IAC 1-29-3	Hard-copy of daily dispensing; verification and retention; back-up capability
856 IAC 1-29-4	Auxiliary system
856 IAC 1-29-5	Safeguards
856 IAC 1-29-6	Data entry; supervision
856 IAC 1-29-9	Applicability of rule
856 IAC 1-30-1	Sterile pharmaceuticals; preparation and dispensing
856 IAC 1-30-2	"Biological safety cabinet" defined
856 IAC 1-30-3	"Class 100 environment" defined
856 IAC 1-30-4	"Cytotoxic" defined
856 IAC 1-30-6	"Sterile pharmaceutical" defined
856 IAC 1-30-7	Policy and procedure manual
856 IAC 1-30-8	Physical requirements
856 IAC 1-30-10	Support personnel
856 IAC 1-30-11	Staffing
856 IAC 1-30-12	Profile or medication record system
856 IAC 1-30-16	Emergency kit
856 IAC 1-30-17	Cytotoxic drugs
856 IAC 1-31	Facsimile Machines

856 IAC 1-33 Counseling  
 856 IAC 1-34-1 Patient counseling requirements  
 856 IAC 1-34-3 Preprinted controlled substance prohibition  
 856 IAC 1-34-4 Exemption  
 856 IAC 1-34-5 Approval  
 856 IAC 1-35 Pharmacy Technicians  
 856 IAC 1-36-1 Temporary variances  
 856 IAC 1-36-2 Submission of a request for temporary variance  
 856 IAC 1-36-3 Positive impact on delivery of pharmaceutical care  
 856 IAC 1-36-4 Period of time  
 856 IAC 1-36-6 Revocation  
 856 IAC 1-36-7 Public notice  
 856 IAC 1-36-8 Justification of denial  
 856 IAC 1-36-9 Copies of requests

SECTION 2. UNDER IC 4-22-2.5-3, 856 IAC 1-2-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-2-1 Display of certificate**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13-4; IC 25-26-13-11

Sec. 1. Certificates of ~~registration licensure~~ shall be conspicuously displayed in the drugstore, pharmacy, hospital, dispensary or other place where drugs are sold or dispensed and where the owner or holder thereof is in employment. Failure to comply with this ~~regulation rule~~ shall be deemed sufficient cause for suspension or revocation of the ~~certificate license~~. (*Indiana Board of Pharmacy; Reg 2, Sec 1; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 119*)

SECTION 3. UNDER IC 4-22-2.5-3, 856 IAC 1-2-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-2-2 Illegal display of certificate; prohibition**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13-4; IC 25-26-13-11

Sec. 2. The display of a certificate of ~~registration licensure~~ as a pharmacist in a drugstore, pharmacy, hospital, dispensary, or other place where drugs are sold or dispensed, and in which place the owner and holder of such ~~certificate license~~ is not in bona fide employment, shall be deemed an illegal use of such ~~certificate license~~, and upon satisfactory proof of such illegal use, such ~~certificate license~~ may be revoked. (*Indiana Board of Pharmacy; Reg 2, Sec 2; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 119*)

SECTION 4. UNDER IC 4-22-2.5-3, 856 IAC 1-2-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-2-3 Notification of address change**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13-4; IC 25-26-13-11

Sec. 3. All holders of ~~certificates a license~~ as a registered pharmacist or registered assistant pharmacist shall notify the ~~secretary~~ **Indiana board of pharmacy** of any change of address. (*Indiana Board of Pharmacy; Reg 2, Sec 3; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 119*)

SECTION 5. UNDER IC 4-22-2.5-3, 856 IAC 1-3.1-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-3.1-3 Passing scores**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13

Sec. 3. To successfully pass an examination, the applicant must attain a general average of not less than seventy-five (75) on ~~each section of~~ the examination taken after the effective date of this ~~regulation rule~~. (*Indiana Board of Pharmacy; 856 IAC 1-3.1-3; filed Dec 3, 1985, 3:02 p.m.: 9 IR 767*)

SECTION 6. UNDER IC 4-22-2.5-3, 856 IAC 1-3.1-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-3.1-4 Reexamination**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13

Sec. 4. If an applicant fails an examination or any portion of an examination and wishes to retake the failed portions, the applicant shall file a new complete application, except that the applicant may include affidavits or data concerning his or her experience in a pharmacy and attendance at a college or school of pharmacy by referring to the original application. An applicant who fails to pass ~~a portion of the entire~~ examination after two (2) sittings shall be permitted to take subsequent examinations, providing the candidate first both appears before the board for consultation, and receives the express written permission of the board. (*Indiana Board of Pharmacy; 856 IAC 1-3.1-4; filed Dec 3, 1985, 3:02 p.m.: 9 IR 767*)

SECTION 7. UNDER IC 4-22-2.5-3, 856 IAC 1-3.1-6 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-3.1-6 Board approval required for practical experience programs for pharmacist intern/extern registration; pharmacy permit required, exceptions; prior approval of nonpharmacy experience site; minimum-maximum hours of practical experience**

Authority: IC 25-26-13-4  
 Affected: IC 25-26-13

Sec. 6. (a) The **Indiana board of pharmacy (board)** shall approve all practical experience programs wherever served. Persons responsible for the integrity and content of practical experience programs shall furnish information regarding



material changes to the board, prior to implementation, for ~~reapproval~~ **approval** of the program. Approval may be withheld for cause, which may include, but is not limited to, unapproved material change in the program or change in program administration.

(b) All persons wishing to satisfy their practical experience requirements in Indiana shall possess a valid registration as a pharmacist intern or extern ~~of in~~ **in** Indiana while the practical experience hours are being served.

(c) If the experience is in a pharmacy that is required by law to have a pharmacy permit, that pharmacy must have a valid pharmacy permit. A pharmacy permit is not required if:

(1) the practical experience is being obtained at a site other than a pharmacy, for example, sites primarily engaged in:

- (A) manufacturing;
- (B) research;
- (C) consulting;
- (D) drug information;
- (E) drug utilization review; or
- (F) other pharmacy-related activity; or

(2) the experience is in a pharmacy that is not required to have a permit, for example, federally owned facilities.

(d) Prior approval is required for experience in a site other than a pharmacy. A written request must be submitted to the board prior to beginning the experience period if:

(1) an individual intern or preceptor is seeking board approval, the request for approval shall include:

- (A) a detailed description of the proposed practical experience program with respect to time, place, duties, responsibilities, and supervision; and
- (B) the name of the person responsible for supervising the experience; or

(2) an approved college or school of pharmacy is seeking board approval for experiential courses, the request for approval shall include:

- (A) a detailed description of the proposed practical experience course with respect to duties, responsibilities, and supervision; and
- (B) the name of the course coordinator responsible for site selection and maintenance of the integrity of the program.

(e) Acceptable practical experience time per week shall consist of not less than four (4) and not more than sixty (60) hours of time per week served under the supervision of a pharmacist or another board approved practical experience supervisor. (*Indiana Board of Pharmacy; 856 IAC 1-3.1-6; filed Dec 3, 1985, 3:02 p.m.: 9 IR 768; filed Apr 23, 1999, 2:06 p.m.: 22 IR 2876*)

SECTION 8. UNDER IC 4-22-2.5-3, 856 IAC 1-3.1-7 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **856 IAC 1-3.1-7 Pharmacist intern/extern; program requirements**

**Authority:** IC 25-26-13-4

**Affected:** IC 25-26-13-2

Sec. 7. (a) Practical experience requirements for ~~registered~~ pharmacist interns/externs in Indiana may be satisfied by complying with either of the following:

(1) Completion of the practical experience requirements of the college or school of pharmacy from which the intern/extern has graduated, if the curriculum of the college or school has been accredited by:

- (A) the American Council on Pharmaceutical Education (ACPE);
- (B) the Canadian Council on Pharmacy Accreditation (CCPA); or
- (C) another board-approved practical experience program.

(2) In the event the intern/extern has graduated from a nonaccredited program as outlined in subdivision (1) or has no practical experience as a part of that individual's educational curriculum, the intern/extern must complete a minimum of one thousand five hundred (1,500) hours of practical experience under the supervision of a pharmacist and provide the board, prior to or concurrent with application for licensure, a written description of the objectives and duties of that experience.

(b) If a candidate for licensure as a pharmacist in Indiana has been licensed as a pharmacist in another state or jurisdiction and has been engaged in the practice of pharmacy as defined in IC 25-26-13-2 for a period of not less than one (1) year, the practical experience requirement is waived. (*Indiana Board of Pharmacy; 856 IAC 1-3.1-7; filed Dec 3, 1985, 3:02 p.m.: 9 IR 768; filed Jan 3, 2000, 10:03 a.m.: 23 IR 1107*)

SECTION 9. UNDER IC 4-22-2.5-3, 856 IAC 1-3.1-12 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **856 IAC 1-3.1-12 Out-of-state practical experience; reciprocity**

**Authority:** IC 25-26-13-4

**Affected:** IC 25-26-13

Sec. 12. Practical experience time served in another state will be accepted and will permit the applicant to take the ~~Indiana~~ **NAPLEX** examination subject to section 11 of this rule if the following requirements are met:

(1) The practical experience time served in such other state meets all requirements of Indiana law and is experience time of the type that is acceptable to the Indiana board **of pharmacy (board)**.

(2) The applicant has a valid intern or apprentice license from the state where the experience is served. Or, if that other state does not require an intern or apprentice license, the applicant must submit certification or an affidavit from the secretary of the board ~~of pharmacy of~~ **of pharmacy** of that state showing that no intern or apprentice license is required.

(Indiana Board of Pharmacy; 856 IAC 1-3.1-12; filed Dec 3, 1985, 3:02 p.m.: 9 IR 769; filed Apr 23, 1999, 2:06 p.m.: 22 IR 2878)

SECTION 10. UNDER IC 4-22-2.5-3, 856 IAC 1-4-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-4-1 License transfer

Authority: IC 25-26-13-4

Affected: IC 25-26-13

Sec. 1. All applicants for ~~reciprocal~~ **license transfer** registration must submit their application, with a certified photograph of the applicant and if necessary a copy of their birth certificate attached thereto, and may be requested to appear in person before the **Indiana board of pharmacy (board)** for a personal interview during a board meeting. An Indiana law examination must be passed before any certificate of licensure will be issued. A practical examination will be administered to the applicant if the board determines that the applicant has not been actively practicing pharmacy in the twelve (12) months preceding the application. Applications for ~~reciprocity~~ **license transfer** must be reviewed and approved at a board meeting prior to examination and prior to the applicant's board requested personal appearance. (Indiana Board of Pharmacy; Reg 4, Sec 1; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 119; filed Dec 3, 1985, 3:02 p.m.: 9 IR 769; filed Apr 23, 1999, 2:06 p.m.: 22 IR 2878)

SECTION 11. UNDER IC 4-22-2.5-3, 856 IAC 1-4-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-4-2 Application forms

Authority: IC 25-26-13-4

Affected: IC 25-26-13-4; IC 25-26-13-11

Sec. 2. All applicants applying for ~~reciprocity~~ **license transfer** in the State of Indiana are required to make application on the official application blanks issued by the National Association of Boards of Pharmacy. (Indiana Board of Pharmacy; Reg 4, Sec 2; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 119)

SECTION 12. UNDER IC 4-22-2.5-3, 856 IAC 1-4-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-4-4 Qualifications of applicants for license transfer

Authority: IC 25-26-13-4

Affected: IC 25-26-13-4; IC 25-26-13-11

Sec. 4. Applicants for ~~reciprocity~~ **license transfer** will be admitted to Indiana only if their qualifications for licensure, possessed at the time of their original registration in the state from which they came, were equal to the requirements of ~~the State of~~ **the State of** Indiana at that time. (Indiana Board of Pharmacy; Reg 4, Sec 4; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 120)

SECTION 13. UNDER IC 4-22-2.5-3, 856 IAC 1-15-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-15-1 Pharmacist leaving employ of pharmacy; notice to board; application to qualify permit

Authority: IC 25-26-13-4

Affected: IC 25-26-13-4; IC 25-26-13-18

Sec. 1. If a ~~registered~~ **qualified** pharmacist, who, having upon the basis of his ~~or her~~ qualifications caused a pharmacy permit to be granted to any person, firm, corporation or co-partnership desiring to operate, maintain, open or establish a pharmacy should leave the employ of such pharmacy, he ~~or she~~ shall immediately notify the **Indiana board of pharmacy (board)** and the owner shall file an application with the board to qualify the permit with another pharmacist. (Indiana Board of Pharmacy; Reg 15, Sec 1; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 125; filed Dec 3, 1985, 3:02 p.m.: 9 IR 771)

SECTION 14. UNDER IC 4-22-2.5-3, 856 IAC 1-20-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-20-1 Prohibitions

Authority: IC 25-26-13-4

Affected: IC 16-1-30; IC 16-6-8; IC 25-26; IC 35-48

Sec. 1. A pharmacist licensed to practice pharmacy under IC 25-26-13-1 through 25-26-13-29, or a pharmacist extern or a pharmacist intern licensed under IC 25-26-13-10, as a part of the responsibility, to not knowingly violate the **Indiana board of pharmacy's** (board's) standards for the competent practice of pharmacy shall **not do the following**:

(a) (1) Violate the Uniform Indiana Controlled Substances Act found at IC 35-48-1-1 through 35-48-4-14, as amended up to and including January 1, 1983, or any of the rules ~~or regulations~~ promulgated by the ~~pharmacy~~ **pharmacy** board under the authority of the Uniform Indiana Controlled Substances Act, which were effective by January 1, 1983, insofar as such violation would pertain to the sale of drugs and devices in ~~the state of~~ **the state of** Indiana as defined by IC 25-26-13-2.

(b) (2) Violate the Indiana Legend Drug Act found at IC 16-6-8-1 through 16-6-8-9, as amended up to and including January 1, 1983, insofar as such violation would pertain to the sale of drugs and devices in ~~the state of~~ **the state of** Indiana as defined by ~~the~~ IC 25-26-13-2.

(c) (3) Violate IC 16-1-30-1 through **IC** 16-1-30-19, as amended to and including January 1, 1983, which deal with adulterated and misbranded drugs or devices, or any rules ~~or regulations~~ promulgated by the ~~pharmacy~~ **pharmacy** board under the authority of IC 16-1-30-1 through **IC** 16-1-30-19, which were effective as of January 1, 1983, insofar as such violation would pertain to the sale of drugs and devices in ~~the state of~~ **the state of** Indiana as defined by IC 25-26-13-2.

(d) (4) Violate ~~Title 21 of United States Code, Sections U.S.C. 801 through 21 U.S.C. 1191, as amended,~~ up to

January 1, 1983, which deal with drug abuse and any of the rules and regulations promulgated under the authority of said Title and Sections as of January 1, 1983, insofar as such violations would pertain to the sale of drugs and devices in the state of Indiana as defined by IC 25-26-13-2.

(e) (5) Violate the Federal Food, Drug, and Cosmetic Act, which is found at Title 21 of the United States Code, Sections U.S.C. 301 through 21 U.S.C. 392, as amended, up to January 1, 1983, or any rules or regulations promulgated under the authority of the said act as of January 1, 1983, insofar as such violation would pertain to the sale of drugs or devices in the state of Indiana as defined by IC 25-26-13-2.

(f) (6) Violate Executive Proclamations of the President of the United States, which were effective by January 1, 1983, which pertain to the sale of drugs or devices in the state of Indiana as defined by IC 25-26-13-2.

(g) (7) Sell, as defined in IC 25-26-13-2, controlled substances or legend drugs with or without prescription, where such sale or distribution is not in good faith and enables the person to whom the sale is made to supply or divert the controlled substances or legend drugs in an unlawful manner. The sale or distribution of controlled substances or legend drugs in unusually large amounts and within an unusually short period of time to the same individual is considered to be against the public welfare, health and safety and may be determined to be a sale or distribution not in good faith.

(h) Dispense a different drug, biological, medicinal substance, device or brand of any of the foregoing in the place of the drug, biological, medicinal substance, device or brand prescribed in the prescription of a licensed practitioner without the expressed permission of such practitioner except a different brand name of the same drug, biological, medicinal substance, or device containing the identical chemical entities (i.e., the identical salt, ester, ether, isomer, etc., of the basic chemical); in the same dosage form and strength may be substituted for the drug, biological, medicinal substance, or device prescribed only in the case of a prescription which qualifies for reimbursement under 42 U.S.C. §1396a et. seq. commonly referred to as Title XIX of the Federal Social Security Act and any rules and regulations pertaining thereto, provided a maximum allowable cost program for purposes of reimbursement has been established for the prescribed drug, biological, medicinal substance, or device pursuant to the laws and regulations of the United States and provided further the prescriber has not certified the prescription medically necessary or brand necessary. The pharmacist must dispense the brand prescribed if the prescriber has certified medically necessary or brand necessary. Prior to dispensing a different brand on a prescription not certified medically necessary or brand necessary, the pharmacist may consult the prescriber to verify his or her intention to authorize substitution; if the pharmacist deems it necessary.

(i) (8) Sell, as defined in IC 25-26-13-2, to the public any drugs, biologicals, medicinal substances, or devices when such pharmacist knows such drugs, biologicals, medicinal

substances, or devices to be forgeries or a counterfeit product or beyond the manufacturer's expiration date.

(j) (9) Aid or abet in the practice of a pharmacy a person not having a license to practice as a pharmacist in this state: **Indiana.**

(k) (10) Practice pharmacy in such a manner as to amount to incompetency or negligence in the sale or dispensation of legend drugs as defined in the Indiana Legend Drug Act under IC 16-6-8-2 or controlled substance as defined in the Uniform Controlled Substances Act of 1973, under IC 35-48-1-1.

(l) (11) Violate the act regulating the practice of pharmacy in the state of Indiana, which is codified at IC 25-26-13-1 through IC 25-26-13-29 as amended up to and including January 1, 1983, or any of the rules or regulations promulgated by the pharmacy board under the authority of the said act, which were effective by January 1, 1983.

*(Indiana Board of Pharmacy; Reg 20; filed Nov 17, 1978, 2:06 p.m.: 2 IR 63; filed Jul 28, 1983, 9:01 a.m.: 6 IR 1745)*

SECTION 15. UNDER IC 4-22-2.5-3, 856 IAC 1-21-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 1-21-1 Resale of returned substances

Authority: IC 25-26-13-4

Affected: IC 25-26-13-25

Sec. 1. (a) This section implements and interprets IC 25-26-13-25(h) concerning the resale or redistribution of medications.

(b) For a medication to have been properly stored and securely maintained according to sound pharmacy practices, the storage and administration of medications in the institutional facility must be under the immediate control of licensed nursing personnel.

(c) If the medication was originally packaged by the dispensing pharmacy, it cannot be resold or redistributed unless:

(1) the medication has been repackaged into unit-dose packaging using packaging materials that meets Class A or Class B standards, found in the United States Pharmacopeia (U.S.P.), page 1574, published by the United States Pharmacopeia, 22nd Revision, January 1, 1990, United States Pharmacopeia Convention, Inc., 12601 Twinbrook Parkway, Rockville, Maryland 20852, which standards are incorporated herein by reference; and

(2) the repackaging process complies with the standards as found in the "Proper Treatment of Products Subjected to Additional Manipulations, Section 1191" of the United States Pharmacopeia, page 1705, 22nd Revision, 1990, which section is incorporated herein by reference.

(d) A medication repackaged under the provisions of subsection (c) shall be labeled with an expiration date of not greater than six (6) months from the date of repackaging or twenty-five percent (25%) of the time one (1) year until the manufacturer's

expiration date, whichever is ~~less~~ **earlier**. (*Indiana Board of Pharmacy; Reg 21, Sec 1; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 128; filed Mar 31, 1992, 5:00 p.m.: 15 IR 1391*)

SECTION 16. UNDER IC 4-22-2.5-3, 856 IAC 1-23-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### 856 IAC 1-23-1 Dispensing of dangerous drugs

Authority: IC 25-26-13-4

Affected: IC 16-42-22; IC 25-26-13-4; IC 25-26-13-11

Sec. 1. In the sale or dispensing of any ~~dangerous~~ **prescription** drug or narcotic, the pharmacist shall be required to affix to the immediate container in which such ~~dangerous~~ **prescription** drug or narcotic is delivered a label bearing the following information:

- (~~a~~) **(1)** The name, ~~and address, and telephone number~~ of the establishment from which such drug was sold.
- (~~b~~) **(2)** The date on which the prescription for such drug was filled.
- (~~c~~) **(3)** The number of such prescription as filed in the prescription files of the pharmacy where the prescription was filled.
- (~~d~~) **(4)** The name of the practitioner who prescribed such drug.
- (~~e~~) **(5)** The name of the patient, and if such drug was prescribed for an animal, a statement of the species of the animal and the owner's name.
- (~~f~~) **(6)** The directions for use of the drug as contained in the prescription.
- (7) The name of the drug (trade or generic, or both) in compliance with the Generic Drug Law found in IC 16-42-22.**

(*Indiana Board of Pharmacy; Reg 23, Sec 1; filed Jun 18, 1962, 10:00 a.m.: Rules and Regs. 1963, p. 129*)

SECTION 17. UNDER IC 4-22-2.5-3, 856 IAC 1-26-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### 856 IAC 1-26-1 Continuing professional education; general requirements; definitions

Authority: IC 25-26-13-4

Affected: IC 25-1-9-3; IC 25-26-13-14

Sec. 1. (a) The following definitions apply throughout this rule:

(1) "Continuing professional education" or "continuing education" means accredited postlicensure professional educational experience derived from participation in postgraduate studies, institutes, seminars, lectures, conferences, workshops, and such other forms of educational experiences so as to maintain the professional competency of the practice of pharmacy, improve pharmacy professional skills, and preserve pharmaceutical standards for the purpose of the protection of the health and welfare of the citizens of ~~the state~~ **of Indiana**.

(2) "Hours" means measurement of value applied to a particular accredited continuing pharmacy educational activity as assigned by the **Indiana board of pharmacy (board)** relative to maintaining the competency of a pharmacist.

(3) ~~★~~ "Contact hour" means not less than fifty (50) nor more than sixty (60) minutes of clock time participating in a continuing education program.

(4) ~~★~~ "Continuing education unit" or "CEU" means ten (10) contact hours of continuing education credit.

(5) "Approved by ACPE" means pharmacy continuing education providers ~~which that~~ meet the requirements of "The ACPE Continuing Education Provider Approval Program Criteria for Quality and Interpretive Guidelines" as published by the American Council on Pharmaceutical Education, Inc., Chicago, Illinois on July 1991.

(b) In order to qualify for licensure renewal, a pharmacist must meet the continuing professional education requirements as follows:

- (1) Thirty (30) hours (~~three~~ **(3)**) CEUs of continuing education as required by this rule shall be required each biennium.
- (2) No hours may be carried forward from one (1) biennium to another. However, if a pharmacist fails to meet the requirements of this rule during the biennial period, the pharmacist may earn and report sufficient hours during a succeeding biennium and apply the continuing education hours retroactively to the previous biennium as if they had been earned in that previous biennium in order to qualify for renewal of the pharmacist's license. In the event a pharmacist applies credits to a previous biennium for the reasons stated ~~here~~, **in this section**, those credits may not be used for any other biennium.
- (3) All continuing education program hours from sponsors not approved by ACPE must be evaluated and accepted by the board.
- (4) Continuing education biennium shall be that time period consisting of January 1 of all even-numbered years through December 31 of the following odd-numbered year.

(c) Accredited continuing education hours may be compiled in the following ways if the sponsor grants the participant a certificate of completion:

- (1) Cassette and audio-visual presentation.
- (2) In-company professional seminars.
- (3) Accredited school of pharmacy continuing education programs.
- (4) Postgraduate courses in pharmaceutical sciences.
- (5) Correspondence courses.
- (6) Programs granted continuing education credit by other states.
- (7) Continuing education television series.
- (8) Programs sponsored by professional groups in public health provider services.
- (9) Professional society and association sponsored program.
- (10) Approved business, management, and computer courses.
- (11) Programs of sponsors approved by ACPE.

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(d) Accredited continuing education hours may be compiled from other programs and experiences if they are evaluated and accepted by the board as meeting the definition of continuing professional education as found in subsection (a)(1).

(e) As provided in subsection (b)(3), continuing education sponsors (hereinafter referred to as sponsors) are responsible for submitting continuing education programs to the board for approval in addition to the following:

(1) A sponsor shall be any person, school, association, or corporation who develops a continuing education program.

(2) The continuing education program must receive approval of the board for final acceptance.

(3) If a sponsor wishes to notify prospective participants in advance of the value (in hours or in CEUs) of a program, the content of the program shall be submitted to the board ~~at least ninety (90) days in advance of the program date~~ for evaluation. If the sponsor does not submit the content for evaluation, the sponsor shall note in all material relevant to the program that it has not been evaluated and the hours of credit listed are subject to review by the board.

(4) Sponsors shall receive written notice from the board ~~within sixty (60) days of the receipt of the application~~ for approval or disapproval from the board. Approved programs shall be given an identification number stating the year and hourly value.

(5) Program changes must be made to and accepted by the board or the evaluation and acceptance of the program becomes null and void.

(6) Continuing education credit may be granted only once for each program to any individual participant.

(7) Any member of the board shall have the right to attend and participate in any continuing education program.

(8) Programs may be evaluated after presentation or participation if a written request is made to the board within ninety (90) days of the date of presentation.

(9) Sponsors shall retain a file of participants' program completion for four (4) years.

(10) When applying to the board for credit, sponsors shall supply the following information on the application for continuing education course approval, supplied by the board:

(A) Name and address of applicant.

(B) Program title.

(C) Location, date, and time of program.

(D) Sponsoring organization.

(E) Type of program.

(F) Name and qualification of each speaker.

(G) Three (3) learning objectives for the program.

(H) Contact hours of the course.

(I) Method for evaluating the program.

(f) Pharmacists licensed with the board (hereinafter called participants) have the following responsibilities:

(1) Obtain a minimum of thirty (30) hours of continuing education per biennium unless first licensed during the

biennium which would make those newly licensed individuals subject to subdivision (5):

(A) a maximum of one-fifth ( $\frac{1}{5}$ ) of the total hours may be business, management, or computer courses;

(B) at least four-fifths ( $\frac{4}{5}$ ) of the total hours must be pharmacy practice related; **and**

(C) at least one-half ( $\frac{1}{2}$ ) of the total hours must be provided by sponsors approved by ACPE.

(2) Report program name, identification number, and approved hours of continuing education to the board at the time of license renewal.

(3) Retain a file of certificates of completion for four (4) years from the end of the biennium for which the continuing education applied in order to provide copies of certificates upon request for the board's periodic audit of continuing education compliance.

(4) Earn one and one-fourth (1.25) hours of continuing education credit for each month or part of a month from date of licensure until the end of the biennium in which licensure originates if the pharmacist becomes licensed during the biennium. However, a pharmacist who becomes newly licensed for the first time in any state in the last six (6) months of the biennium shall not be required to complete any continuing education for the biennium.

(5) Continuing education hours may be transferred from another state to Indiana if the transfer state recognizes Indiana continuing education hours.

(g) Failure to comply with any one (1) or all of the provisions of this rule while continuing to hold a license as a pharmacist in Indiana shall constitute professional incompetence by failing to keep abreast of current professional theory or practice under IC 25-1-9-3(a)(4)(B) and the pharmacist is subject to discipline under IC 25-1-9. (*Indiana Board of Pharmacy; Reg 29; filed Mar 1, 1974, 3:05 p.m.: Rules and Regs. 1975, p. 516; filed Oct 26, 1984, 3:26 p.m.: 8 IR 212; filed Jan 21, 1994, 3:00 p.m.: 17 IR 1096, eff Jan 1, 1994 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #93-152 was filed Jan 21, 1994.]*)

SECTION 18. UNDER IC 4-22-2.5-3, 856 IAC 1-29-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 856 IAC 1-29-1 Approval of electronic data processing system

Authority: IC 25-26-13-4

Affected: IC 25-26-13-25

Sec. 1. (a) No electronic data processing system may be used by a pharmacist pursuant to a Type I, **Type III, and Type VI** pharmacy permit as an alternative to his **or her** recordation of prescription information unless that system has been approved by the **Indiana** board of pharmacy (**board**).

(b) No electronic data processing system may be used by a

pharmacist as an alternative to his recordation of information directly on the original prescription pursuant to IC 25-26-13-25(c), without the approval of the ~~Indiana board, of pharmacy,~~ and such an electronic data processing system does not qualify for approval unless it satisfies at a minimum the requirements found in ~~856 IAC 1-29; this rule.~~ Any such system must be approved by the board of pharmacy before initial installation in Indiana. Any pharmacy installing such a system must make a written request to the board for approval. ~~This shall be the responsibility of the pharmacist manager.~~ Approval is subject to withdrawal for cause so that the pharmacist must in such a case discontinue use of the system as an alternative. (*Indiana Board of Pharmacy; 856 IAC 1-29-1; filed Aug 16, 1984, 3:55 p.m.: 7 IR 2543*)

SECTION 19. UNDER IC 4-22-2.5-3, 856 IAC 1-30-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-30-5 “Qualified pharmacist” defined**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-18

Sec. 5. As used in this rule, ~~“pharmacist-in-charge”~~ **“qualifying pharmacist”** means a licensed pharmacist, identified in the policy and procedure manual, required by section 7 of this rule, as responsible for the preparation of the sterile pharmaceuticals, in compliance with the policy and procedure manual and the applicable laws governing the practice of pharmacy in ~~the state of~~ Indiana. (*Indiana Board of Pharmacy; 856 IAC 1-30-5; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1017, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]*)

SECTION 20. UNDER IC 4-22-2.5-3, 856 IAC 1-30-9 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-30-9 Personnel**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-18

Sec. 9. (a) Each pharmacist engaged in preparing sterile pharmaceuticals must be trained in the specialized functions of preparing and dispensing compounded, sterile pharmaceuticals, including the principles of aseptic technique and quality assurance. Documentation of such training or experience shall be made available for inspection by the board or its representatives.

(b) ~~The pharmacist-in-charge~~ **qualifying pharmacist** shall be responsible for the purchasing, storage, compounding, repackaging, dispensing, and distribution of all sterile pharmaceuticals.

(c) ~~The pharmacist-in-charge~~ **qualifying pharmacist** shall also be responsible for the development and continuing review of all policies and procedures, training manuals, and quality

assurance programs. (*Indiana Board of Pharmacy; 856 IAC 1-30-9; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1019, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]*)

SECTION 21. UNDER IC 4-22-2.5-3, 856 IAC 1-30-13 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-30-13 Labeling**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-18

Sec. 13. (a) Each sterile pharmaceutical product dispensed to a patient shall be labeled with ~~a label containing~~ the following:

- (1) Date of preparation by the pharmacy.
- (2) Patient name and bed number, if an institutionalized patient.
- (3) Name of each drug in the preparation, strength, and amount.
- (4) Expiration date of the preparation, including time, if applicable.
- (5) Identity of the pharmacist compounding and dispensing the sterile pharmaceutical, and identity of other authorized personnel preparing the product, if applicable.
- (6) Other information required by the dispensing pharmacy regarding storage requirements or special warnings.

(b) In addition, if the patient residing at home or outside the facility where the sterile pharmaceutical is prepared, the following labeling requirements apply:

- (1) Identifying prescription number.
- (2) Prescriber’s full name.
- (3) Name, address, and telephone number of the licensed pharmacy.
- (4) Directions for use shall be provided, either on the label or by other written instructions, including infusion rate and date and time of administration.

(*Indiana Board of Pharmacy; 856 IAC 1-30-13; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1020, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]; errata filed Mar 17, 1992, 10:20 a.m.: 15 IR 1394*)

SECTION 22. UNDER IC 4-22-2.5-3, 856 IAC 1-30-14 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-30-14 Records and reports**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-15; IC 25-26-13-18

Sec. 14. (a) ~~The pharmacist-in-charge~~ **qualifying pharmacist** shall be responsible for such records and reports as required to ensure the patient’s health, safety, and welfare. Such records shall be readily available and maintained for two (2) years from the date of issuance of the prescription or drug order and be

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subject to inspection by the **Indiana** board of pharmacy or its designated inspector. These records shall include the following:

- (1) Patient profile or medication record system.
- (2) Policy and procedure manual.
- (3) Training manuals.
- (4) Policies and procedures for disposal of cytotoxic waste, when applicable.

(b) Information regarding individual patients shall be maintained in a manner to assure confidentiality of the patient's record. Release of this information shall be in accordance with IC 25-26-13-15. (*Indiana Board of Pharmacy; 856 IAC 1-30-14; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1020, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]*)

SECTION 23. UNDER IC 4-22-2.5-3, 856 IAC 1-30-15 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 856 IAC 1-30-15 Disposal of infectious waste

Authority: IC 25-26-13-4  
Affected: IC 25-26-13-18

Sec. 15. The ~~pharmacist-in-charge~~ **qualifying pharmacist** is responsible for assuring that there is a system for the disposal of infectious waste returned from outside the facility in a manner consistent with the protection of the public's health and safety and in compliance with applicable state and federal law. (*Indiana Board of Pharmacy; 856 IAC 1-30-15; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1020, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]*)

SECTION 24. UNDER IC 4-22-2.5-3, 856 IAC 1-30-18 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 856 IAC 1-30-18 Quality assurance

Authority: IC 25-26-13-4  
Affected: IC 25-26-13-18

Sec. 18. (a) The designated ~~pharmacist-in-charge~~ **qualifying pharmacist** shall conduct a documented, ongoing quality assurance program that monitors personnel performance, equipment, and facilities. Samples of finished products shall be examined, or other continuous monitoring methods shall be used to assure that the pharmacy is capable of consistently preparing sterile pharmaceuticals meeting their specifications. Quality assurance procedures shall include the following:

- (1) Recall procedures for compounded sterile pharmaceuticals.
- (2) Storage and dating for compounded sterile pharmaceuticals.
- (3) Sterile procedures, ~~which include~~ **including** the following:

- (A) Monitoring the temperature of the refrigerator.
- (B) Routine maintenance.
- (C) Report of laminar flow hood certification.
- (4) Written documentation of periodic hood cleaning.

(b) All biological safety cabinets and Class 100 environments shall be certified by an independent contractor or facility specialist as meeting Federal Standard 209B or National Sanitation Foundation Standard 49, as referenced in section 2 of this rule, for operational efficiency. Such certification shall be performed at least annually. Records documenting certification shall be maintained for a period of not less than two (2) years.

(c) Prefilters for the clean air source shall be replaced or cleaned as applicable on a regular basis and the replacement or cleaning date documented.

(d) A vertical flow Class II biological safety cabinet may be used to compound any sterile pharmaceutical product; however, it must be thoroughly cleaned between each use for cytotoxic and noncytotoxic drug compounding.

(e) If manufacturing of parenteral solutions is performed utilizing nonsterile chemicals, extensive end product testing, as referenced in Remington's Pharmaceutical Sciences, published by Mack Publishing Company, Easton, Pennsylvania 18042, or other Federal Drug Administration approved testing methods, must be documented prior to the release of the product from quarantine. This process must include appropriate tests for particulate matter, microbial contamination, and testing for pyrogens. This does not preclude the extemporaneous compounding of certain sterile pharmaceuticals.

(f) There shall be written justification of the chosen expiration dates for compounded parenteral products documented in the policy and procedure manual.

(g) There shall be documentation of quality assurance audits at planned intervals, including infection control and sterile technique audits. (*Indiana Board of Pharmacy; 856 IAC 1-30-18; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1021, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-6 was filed Jan 28, 1992.]*)

SECTION 25. UNDER IC 4-22-2.5-3, 856 IAC 1-32-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 856 IAC 1-32-1 Applicability of rule

Authority: IC 25-26-13-4  
Affected: IC 25-26-13-25

Sec. 1. This rule governs the transfer of ~~prescriptions;~~ **prescription information**, either originally filled or previously

refilled, by one (1) pharmacy to another pharmacy for refills. (*Indiana Board of Pharmacy; 856 IAC 1-32-1; filed Jun 8, 1992, 5:00 p.m.: 15 IR 2248*)

SECTION 26. UNDER IC 4-22-2.5-3, 856 IAC 1-32-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-32-2 Noncontrolled and controlled substance prescription transfers**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-25

Sec. 2. (a) ~~Prescriptions~~ **Prescription information** for legend drugs that are not controlled substances may be transferred at any time during the lifetime of the prescription up to one (1) year after the date of the original filling, or when the original number of authorized refills expires, whichever comes first.

(b) Except as limited by the requirement of subsection (a), prescriptions for legend drugs that are not controlled substances may be transferred any number of times.

(c) If any authorized refills remain, prescriptions for Schedule III, Schedule IV, and Schedule V controlled substances may be transferred only once within six (6) months from the date the prescription was issued. However, pharmacies electronically sharing a real-time, on-line database may transfer up to the maximum refills permitted by law and the prescriber's authorization.

(d) Prescriptions for Schedule II controlled substances may not be transferred. (*Indiana Board of Pharmacy; 856 IAC 1-32-2; filed Jun 8, 1992, 5:00 p.m.: 15 IR 2248; filed May 26, 2000, 8:52 a.m.: 23 IR 2503*)

SECTION 27. UNDER IC 4-22-2.5-3, 856 IAC 1-32-3 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-32-3 Patient's right to transfer prescriptions**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-16; IC 25-26-13-25

Sec. 3. A pharmacist may not legally refuse to transfer a patient's prescription **or prescription information** except when to do so would be against the professional judgment of the pharmacist in the manner provided for under IC 25-26-13-16. (*Indiana Board of Pharmacy; 856 IAC 1-32-3; filed Jun 8, 1992, 5:00 p.m.: 15 IR 2248; errata filed Jul 10, 1992, 9:00 a.m.: 15 IR 2465*)

SECTION 28. UNDER IC 4-22-2.5-3, 856 IAC 1-32-4 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-32-4 Pharmacists' responsibilities**

**Authority:** IC 25-26-13-4  
**Affected:** IC 25-26-13-25

Sec. 4. Transfer of ~~prescriptions~~ **prescription information** under this rule must meet the following requirements:

(1) The transfer is communicated directly between two (2) licensed pharmacists or by suitable electronic device approved by the **Indiana board of pharmacy**, and the transferring pharmacist records the following information:

(A) Write the word "VOID" on the face of the invalidated prescription.

(B) Record on the reverse of the invalidated prescription, the name, address, and Drug Enforcement Administration registration number of the pharmacy to which it was transferred and the name of the pharmacist receiving the prescription.

(C) Record the date of the transfer and the name of the pharmacist transferring the information.

(2) The pharmacist receiving the transferred prescription shall reduce to writing the following:

(A) Write the word "TRANSFER" on the face of the transferred prescription.

(B) Provide all information required to be on a prescription and include the following:

(i) Date of issuance of original prescription.

(ii) Original number of refills authorized on original prescriptions.

(iii) Date of original dispensing.

(iv) Number of valid refills remaining and date of last refill, and, in the event the transfer is for the second or subsequent transfer of a substance that is a Schedule III, Schedule IV, or Schedule V controlled substance, the date and location of the previous refill.

(v) Pharmacy's name, address, Drug Enforcement Administration registration number, and original prescription number from which the prescription information was transferred.

(vi) Name of the transferor pharmacist.

(C) Both the original and transferred prescription must be maintained as required under IC 25-26-13-25.

(3) Pharmacies electronically accessing the same prescription record must satisfy all information requirements of a manual mode for prescription transferral.

(*Indiana Board of Pharmacy; 856 IAC 1-32-4; filed Jun 8, 1992, 5:00 p.m.: 15 IR 2248; errata filed Jul 10, 1992, 9:00 a.m.: 15 IR 2465; filed May 26, 2000, 8:52 a.m.: 23 IR 2503*)

SECTION 29. UNDER IC 4-22-2.5-3, 856 IAC 1-34-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 1-34-2 Security feature requirements**

**Authority:** IC 35-48-7-8  
**Affected:** IC 16-42-19-5

Sec. 2. (a) All controlled substance prescriptions written by licensed Indiana practitioners, as defined by IC 16-42-19-5, must contain the following security features:

(1) A latent, repetitive "void" pattern screened at five percent



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(5%) in reflex blue must appear across the entire face of the document when the prescription is photocopied.

(2) There shall be a custom artificial watermark printed on the back side of the base paper so that it may only be seen at a forty-five (45) degree angle. The watermark shall consist of the words "Indiana Security Prescription", appearing horizontally in a step-and-repeated format in five (5) lines on the back of the document using 12-point Helvetica bold type style.

(3) An opaque RX symbol must appear in the upper right-hand corner, one-eighth ( $\frac{1}{8}$ ) of an inch from the top of the pad and five-sixteenths ( $\frac{5}{16}$ ) of an inch from the right side of the pad. The symbol must be three-fourths ( $\frac{3}{4}$ ) inch in size and must disappear if the prescription copy is lightened.

(4) Six (6) quantity check-off boxes must be printed on the form and the following quantities must appear **and the appropriate box be checked off for the prescription to be valid:**

- (A) 1)24
- (B) 25)49
- (C) 50)74
- (D) 75)100
- (E) 101)150
- (F) 151 and over.

(5) No advertisements may appear on the front or back of the prescription blank.

(6) Logos, defined as a symbol utilized by an individual, professional practice, professional association, or hospital, may appear on the prescription blank. The upper left one (1) inch square of the prescription blank is reserved for the purpose of logos. Only logos, as defined by this subdivision, may appear on the prescription blank.

(7) Only one (1) prescription may be written per prescription blank. The following statement must be printed on the bottom of the pad: "Prescription is void if more than one (1) prescription is written per blank."

(8) Refill options that can be circled by the prescriber must appear below any logos and above the signature lines on the left side of the prescription blank in the following order:

Refill NR 1 2 3 4 5 Void after\_\_\_\_\_.

(9) Practitioner name and state issued professional license number must be preprinted, stamped, or manually printed on the prescription.

(10) All prescription blanks printed under this rule shall be four and ~~one-quarter~~ **one-fourth** ( $4\frac{1}{4}$ ) ~~inch~~ **inches** high and five and one-half ( $5\frac{1}{2}$ ) ~~inch~~ **inches** wide.

(b) Nothing in ~~the~~ **this** rule shall prevent licensed Indiana practitioners from utilizing security paper prescriptions for the prescribing of any legend drug. (*Indiana Board of Pharmacy; 856 IAC 1-34-2; filed Jul 5, 1995, 9:45 a.m.: 18 IR 2782, eff Jan 1, 1996*)

SECTION 30. UNDER IC 4-22-2.5-3, 856 IAC 1-36-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

### 856 IAC 1-36-5 Renewal

Authority: IC 25-26-13-4

Affected: IC 25-26-13

Sec. 5. A temporary variance may be renewed by the **Indiana board of pharmacy (board)** for an additional six (6) months. A temporary variance shall not be renewed more than ~~three (3)~~ **five (5)** times. Requests for renewal of a variance shall be submitted in writing to the board not less than thirty (30) days prior to the expiration of the variance and shall contain at least the information required by section 2 of this rule. (*Indiana Board of Pharmacy; 856 IAC 1-36-5; filed Jul 23, 1998, 4:43 p.m.: 21 IR 4535*)

SECTION 31. UNDER IC 4-22-2.5-3, THE FOLLOWING ARE REPEALED: 856 IAC 1-3.1-10; 856 IAC 1-5-1; 856 IAC 1-12; 856 IAC 1-29-7.

### Notice of Public Hearing

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 9, 2001 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Indiana Board of Pharmacy will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Mark Bina, Director  
Health Professions Bureau  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204  
Mbina@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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## TITLE 856 INDIANA BOARD OF PHARMACY

LSA Document #01-151

### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

## Readopted Rules

856 IAC 2-1	856 IAC 2-3-28
856 IAC 2-2	856 IAC 2-3-29
856 IAC 2-3-1	856 IAC 2-3-30
856 IAC 2-3-2	856 IAC 2-3-31
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856 IAC 2-3-4	856 IAC 2-3-33
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856 IAC 2-3-8	856 IAC 2-5
856 IAC 2-3-10	856 IAC 2-6-1
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856 IAC 2-3-12	856 IAC 2-6-3
856 IAC 2-3-13	856 IAC 2-6-4
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856 IAC 2-3-15	856 IAC 2-6-6
856 IAC 2-3-16	856 IAC 2-6-7
856 IAC 2-3-17	856 IAC 2-6-8
856 IAC 2-3-18	856 IAC 2-6-9
856 IAC 2-3-19	856 IAC 2-6-10
856 IAC 2-3-20	856 IAC 2-6-11
856 IAC 2-3-21	856 IAC 2-6-12
856 IAC 2-3-22	856 IAC 2-6-13
856 IAC 2-3-23	856 IAC 2-6-14
856 IAC 2-3-24	856 IAC 2-6-15
856 IAC 2-3-25	856 IAC 2-6-16
856 IAC 2-3-26	856 IAC 2-6-17
856 IAC 2-3-27	856 IAC 2-6-18

SECTION 1. UNDER IC 4-22-2.5-3, THE FOLLOWING ARE READOPTED:

856 IAC 2-1	Definitions
856 IAC 2-2	Code Numbers—Schedules I through IV
856 IAC 2-3-1	Registration information furnished upon request
856 IAC 2-3-2	Persons required to register
856 IAC 2-3-3	Independent activities; separate registration required; exceptions
856 IAC 2-3-4	Separate registrations for separate locations; exceptions
856 IAC 2-3-5	Exemption of agents or employees; affiliated practitioners; paramedics
856 IAC 2-3-6	Exemption of military or public health service personnel
856 IAC 2-3-7	Exemption of law enforcement officers; registration of law enforcement laboratories
856 IAC 2-3-8	Exemption of civil defense officials
856 IAC 2-3-11	Persons exempt of fee
856 IAC 2-3-12	Time for registration or re-registration application
856 IAC 2-3-16	Additional information; failure to supply
856 IAC 2-3-17	Amendment or withdrawal of application
856 IAC 2-3-18	Inspection and review of application by board

856 IAC 2-3-19	Certificate of registration; denial of registration
856 IAC 2-3-20	Suspension or revocation of registration
856 IAC 2-3-21	Suspension pending final order
856 IAC 2-3-22	Extension of registration pending re-registration order
856 IAC 2-3-23	Order to show cause
856 IAC 2-3-25	Hearing procedures
856 IAC 2-3-26	Modification or waiver of rules
856 IAC 2-3-27	Modification of registration
856 IAC 2-3-28	Termination of registration; notice to board
856 IAC 2-3-29	Transfer of registration
856 IAC 2-3-30	Security requirements; approval of security system
856 IAC 2-3-31	Storage areas; security controls for nonpractitioners
856 IAC 2-3-32	Manufacturing areas; security controls for nonpractitioners
856 IAC 2-3-33	Additional security controls for nonpractitioners
856 IAC 2-3-34	Storage; security controls for practitioners
856 IAC 2-3-35	Additional security controls for practitioners
856 IAC 2-4	Records and Inventories of Registrants
856 IAC 2-5	Order Forms
856 IAC 2-6-1	Scope of rules governing prescriptions
856 IAC 2-6-3	Purpose of prescription; prohibitions
856 IAC 2-6-4	Issuance of prescriptions; information required
856 IAC 2-6-5	Persons entitled to fill prescriptions
856 IAC 2-6-6	Dispensing of narcotics for maintenance purposes
856 IAC 2-6-7	Schedule II controlled substances; prescription required; exceptions
856 IAC 2-6-8	Schedule II controlled substances; refilling prescriptions
856 IAC 2-6-9	Schedule II controlled substances; partial filling of prescriptions
856 IAC 2-6-10	Schedule II controlled substances; label information; exceptions
856 IAC 2-6-13	Schedules III, IV, and V controlled substances; refilling prescriptions; retrievable information
856 IAC 2-6-14	Schedules III, IV and V controlled substances; partial filling of prescriptions
856 IAC 2-6-15	Schedules III and IV controlled substances; label information; exceptions
856 IAC 2-6-16	Schedules III and IV controlled substances; retention of prescriptions
856 IAC 2-6-17	Schedule V controlled substances; prescription requirements; refilling; exceptions
856 IAC 2-6-18	Dispensing without prescription; delivery of devices

SECTION 2. UNDER IC 4-22-2.5-3, 856 IAC 2-3-13 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 2-3-13 Application forms; reregistration forms

Authority: IC 35-48-3-1

Affected: IC 35-48-3-5

Sec. 13. ~~Application forms; contents; signature.~~ (a) If any person is required to be registered, and is not so registered and is applying for registration, **the following apply:**

- (1) To manufacture and perform other coincident activities (see ~~Section 3-12(b)(7)~~ **856 IAC 2-3-3(b)(7)**) with controlled substances, he **or she** shall apply on Form CSR-1A.
- (2) To dispense, or to conduct research (other than research described in ~~3-12(a)(6)~~ **856 IAC 2-3-3(a)(6)**) with, or to conduct instructional activities with, controlled substances listed in Schedules II through V **under 856 IAC 2-2-3 through 856 IAC 2-2-6**, he **or she** shall apply on Form CSR-1.
- (3) To conduct research with narcotic drugs listed in Schedules II through V **under 856 IAC 2-2-3 through 856 IAC 2-2-6**, as described in ~~3-12(a)(6)~~ **856 IAC 2-3-3(a)(6)**, he **or she** shall apply on Form CSR-1.
- (4) To conduct research with controlled substances listed in Schedule I **under 856 IAC 2-2-2**, he **or she** shall apply on Form CSR-1 in accordance with an approved Schedule I **under 856 IAC 2-2-2** research protocol. Such protocol shall be subject to inspection by the Indiana board of pharmacy.
- (5) To conduct instructional activities with controlled substances listed in Schedule I **under 856 IAC 2-2-2**, he **or she** shall apply as a researcher on Form CSR-1 with two (2) copies of a statement describing the nature, extent, and duration of such instructional activities attached to the form.
- (6) To conduct chemical analysis with controlled substances listed in any schedule, he **or she** shall apply on Form CSR-1. ~~and~~
- (7) To distribute controlled substances, he **or she** shall apply on Form CSR-1.

(b) If any person is registered and is applying for reregistration, **the following apply:**

- (1) To manufacture and perform other coincident activities (see ~~Section 3-12(b)(7)~~ **856 IAC 2-3-3(b)(7)**), with controlled substances, he **or she** shall apply on Form CSRII-A.
- (2) To dispense, or to conduct research (other than research described in ~~3-22(a)(6)~~ **856 IAC 2-3-3(a)(6)**) with, or to conduct instructional activities with, controlled substances listed in Schedules II through V **under 856 IAC 2-2-3 through 856 IAC 2-2-6**, he **or she** shall apply on Form CSR-II.
- (3) To conduct research with narcotic drugs listed in Schedules II through V **under 856 IAC 2-2-3 through 856 IAC 2-2-6**, as described in ~~3-12(a)(6)~~ **856 IAC 2-3-3(a)(6)**, he **or she** shall apply on Form CSR-II.
- (4) To continue to conduct research with controlled substances listed in Schedule I **under 856 IAC 2-2-2** under one (1) or more approved research protocols, by the Drug Enforcement Administration, he **or she** shall apply on Form CSR-II.
- (5) To continue to conduct instructional activities with controlled substances listed in Schedule I **under 856 IAC 2-**

**2-2** under one (1) or more approved instructional statements, he **or she** shall apply as a researcher on Form CSR-II.

- (6) To conduct chemical analysis with controlled substances listed in any schedule, he **or she** shall apply on Form CSR-II. ~~and~~
- (7) To distribute controlled substances, he **or she** shall apply on Form CSR-II.

(c) Applications for registration may be obtained by writing to the controlled substance division **of the Indiana State board of pharmacy, 315 State Office Building, Indianapolis, Indiana.** Applications for reregistration will be mailed, as applicable, to each registered person approximately **sixty (60)** days before the expiration date of his **or her** registration; if any registered person does not receive such forms within **forty-five (45)** days before the expiration date of his **or her** registration, he **or she** must promptly give notice of such fact and request such forms by writing to the controlled substance division **of the Indiana board of pharmacy. at the foregoing address.**

(d) Each application for registration to handle any basic class of controlled substance listed in Schedule I **under 856 IAC 2-2-2** (except to conduct chemical analysis with such classes), and each application for registration to manufacture a basic class of controlled substance listed in Schedule II **under 856 IAC 2-2-3**, or to conduct research with any narcotic controlled substance listed in Schedule II **under 856 IAC 2-2-3**, shall include the controlled substances code number, as set forth in Part I *[856 IAC 2-1]*, for each basic class or substance to be covered by such registration.

(e) Each application shall include all information called for on the form unless the item is not applicable, in which case this fact shall be indicated.

(f) Each application, attachment, or other document filed as part of an application shall be signed by:

- (1) the applicant, if an individual; ~~by~~
- (2) a partner of the applicant, if a partnership; or ~~by~~
- (3) an officer or authorized representative of the applicant, if a corporation, corporate division, association, trust, or other entity. (*Indiana Board of Pharmacy; Reg 28, Ch III, Sec 3.32; filed Jul 9, 1974, 9:29 a.m.: Unpublished*)

SECTION 3. UNDER IC 4-22-2.5-3, 856 IAC 2-3-24 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

## 856 IAC 2-3-24 Evidentiary hearing

Authority: IC 35-48-3-1

Affected: IC 35-48-3-6

Sec. 24. ~~Purpose of hearing.~~ The **controlled substances** advisory committee shall hold a hearing for the purpose of receiving factual evidence regarding the issues involved in the denial, revocation, or suspension of any registration. (*Indiana Board of Pharmacy; Reg 28, Ch III, Sec 3.51; filed Jul 9, 1974, 9:29 a.m.: Unpublished*)

SECTION 4. UNDER IC 4-22-2.5-3, 856 IAC 2-6-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 2-6-2 Persons entitled to issue prescriptions**

Authority: IC 35-48-3-1

Affected: IC 35-48-3-9

Sec. 2. ~~Persons entitled to issue prescriptions.~~ (a) A prescription for a controlled substance may be issued only by an individual practitioner who is:

- (1) authorized to prescribe controlled substances by the state; ~~of Indiana; and~~
- (2) either registered or exempted from registration pursuant to ~~sections 3-14(b) 856 IAC 2-3-5(b) or 3-15 of this part. 856 IAC 2-3-6.~~

(b) A prescription issued by an individual practitioner may be communicated to a pharmacist by an ~~employee or agent of the~~ individual practitioner **or a practitioner's authorized agent.**

~~Note of Explanation:~~ (c) Controlled substances prescriptions issued by individual practitioners in adjoining states to Indiana or other states are considered valid prescriptions if the practitioner issuing the prescription has a current and valid Drug Enforcement Administration certificate registration number. It is the pharmacist's responsibility as with all controlled substances prescriptions, to be sure beyond reasonable doubt in his **or her** professional judgment that the practitioner is issuing the prescription in good faith and has a valid Drug Enforcement Administration certificate of registration. (*Indiana Board of Pharmacy; Reg 28, Ch VI, Sec 6.02; filed Jul 9, 1974, 9:29 a.m.: Unpublished*)

SECTION 5. UNDER IC 4-22-2.5-3, 856 IAC 2-6-12 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**856 IAC 2-6-12 Schedules III and IV controlled substances**

Authority: IC 35-48-3-1

Affected: IC 35-48-3-9

Sec. 12. ~~Requirement of prescription.~~ (a) A pharmacist may dispense a controlled substance listed in Schedule III or IV **under 856 IAC 2-2-4 or 856 IAC 2-2-5**, which is a prescription drug as determined under the federal Food, Drug, and Cosmetic Act, only pursuant to either a written prescription signed by a prescribing individual practitioner or an oral prescription made by a prescribing individual practitioner **or a practitioner's authorized agent** and promptly reduced to writing by the pharmacist containing all information required in ~~section 6-04, 856 IAC 2-6-4~~, except for the signature of the prescribing individual practitioner.

(b) An individual practitioner may administer or dispense a controlled substance listed in Schedule III or IV **under 856 IAC 2-2-4 or 856 IAC 2-2-5** in the course of his **or her** professional practice without a prescription, subject to ~~section 6-06: 856 IAC 2-6-6.~~

(c) An institutional practitioner may administer or dispense directly (but not prescribe) a controlled substance listed in Schedule III or IV **under 856 IAC 2-2-4 or 856 IAC 2-2-5** pursuant to a written prescription signed by a prescribing individual practitioner, or pursuant to an oral prescription made by a prescribing individual practitioner and promptly reduced to writing by the pharmacist (containing all information required in ~~section 6-04 856 IAC 2-6-4~~, except for the signature of the prescribing individual practitioner), or pursuant to an order for medication made by an individual practitioner ~~which that~~ is dispensed for immediate administration to the ultimate user, subject to ~~section 6-06: 856 IAC 2-6-6.~~ (*Indiana Board of Pharmacy; Reg 28, Ch VI, Sec 6.21; filed Jul 9, 1974, 9:29 a.m.: Unpublished*)

SECTION 6. UNDER IC 4-22-2.5-3, THE FOLLOWING ARE REPEALED: 856 IAC 2-3-10; 856 IAC 2-3-14; 856 IAC 2-3-15; 856 IAC 2-6-11.

**Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 9, 2001 at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Indiana Board of Pharmacy will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Mark Bina, Director  
Health Professions Bureau  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204  
Mbina@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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**TITLE 857 INDIANA OPTOMETRIC LEGEND  
DRUG PRESCRIPTION ADVISORY  
COMMITTEE**

LSA Document #01-152

**DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

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## Readopted Rules

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### 857 IAC 1-4-1

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

857 IAC 1-4-1 Fees

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 14, 2001 at 11:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W041, HPB Boardroom, Indianapolis, Indiana the Indiana Optometric Legend Drug Prescription Advisory Committee will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Mark W. Bina, Director  
Indiana State Board of Pharmacy  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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### TITLE 858 CONTROLLED SUBSTANCES ADVISORY COMMITTEE

LSA Document #01-63

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

### 858 IAC 2

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

858 IAC 2 CONTROLLED SUBSTANCE MONITORING

#### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-4, notice is hereby given that on November 30, 2001 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 4, Indianapolis, Indiana the Con-*

*trolled Substances Advisory Committee will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Mark W. Bina, Director  
Indiana State Board of Pharmacy  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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### TITLE 880 SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

LSA Document #01-222

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

### 880 IAC 1-1-5

SECTION 1. UNDER IC 4-22-2.5-3, 880 IAC 1-1-5 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### 880 IAC 1-1-5 Fees

**Authority:** IC 25-1-8-2; IC 25-35.6-2-2  
**Affected:** IC 25-35.6-3-7

Sec. 5. The following fees apply to licensed speech-language pathologists and audiologists:

Application/issuance fee (nonrefundable)	\$25 \$150
License renewal (December 31 of each odd-numbered year)	\$20 \$100
<del>Penalty fee for late renewal</del>	<del>\$10</del>
Aide registration	\$10 \$50
Renewal of aide registration (annually on December 31)	\$10 \$25
Registration of an individual participating in a supervised experience year	\$10 \$50
Duplicate license	\$10
<b>Verification of licensure</b>	<b>\$10</b>

*(Speech-Language Pathology and Audiology Board; Reg PA-1, Ch V; filed Dec 4, 1974, 12:54 p.m.: Rules and Regs. 1975, p.*

323; filed Jan 5, 1977, 3:30 p.m.: Rules and Regs. 1978, p. 317; filed May 30, 1985, 10:25 a.m.: 8 IR 1306; filed Apr 30, 1986, 9:42 a.m.: 9 IR 2206; filed Mar 8, 1988, 2:08 p.m.: 11 IR 2631; filed May 20, 1996, 3:00 p.m.: 19 IR 2881)

### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 16, 2001 at 10:20 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana the Speech-Language Pathology and Audiology Board will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Cindy Vaught, Director  
Health Professions Bureau  
Indiana Speech-Language Pathology and Audiology Board  
402 West Washington Street, Room W041  
Indianapolis, Indiana 46204  
E-mail: cvaught@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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## **TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS**

LSA Document #01-223

### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

### **888 IAC 1.1-3-2**

SECTION 1. UNDER IC 4-22-2.5-3, 888 IAC 1.1-3-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

#### **888 IAC 1.1-3-2 Licensed veterinarians; fees**

**Authority:** IC 15-5-1.1-8; IC 15-5-1.1-20.2; IC 25-1-8-2  
**Affected:** IC 25-1-8-1

Sec. 2. The following fees shall apply to licensed veterinarians:

Application for licensure/issuance	<del>\$40</del> <b>\$150</b>
Application by examination/issuance	<del>\$40</del> <b>\$150</b>

License renewal (October 15 of each odd-numbered year)	<del>\$30</del> <b>\$100</b> biennially
License reinstatement	<b>\$10 plus current biennial renewal fee</b>

Endorsement-reciprocity out	\$10
Duplicate license	\$10

*(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-3-2; filed Nov 14, 1985, 9:38 a.m.: 9 IR 778; filed Feb 26, 1987, 2:45 p.m.: 10 IR 1392; filed Jul 6, 1988, 2:20 p.m.: 11 IR 3919; filed Mar 15, 1989, 2:55 p.m.: 12 IR 1635; filed May 20, 1993, 5:00 p.m.: 16 IR 2424; filed May 20, 1996, 3:00 p.m.: 19 IR 2882; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24)*

### **Notice of Public Hearing**

*Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given that on October 31, 2001 at 9:15 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana the Indiana Board of Veterinary Medical Examiners will hold a public hearing to readopt rules.*

*Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:*

*Cindy Vaught, Director  
Health Professions Bureau  
Indiana Board of Veterinary Medical Examiners  
402 West Washington Street  
Room W041  
Indianapolis, Indiana 46204  
E-mail: cvaught@hpb.state.in.us.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau

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## **TITLE 896 BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS**

LSA Document #01-224

### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

### **896 IAC 1-3-2**

SECTION 1. UNDER IC 4-22-2.5-3, 896 IAC 1-3-2 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

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## Readopted Rules

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### 896 IAC 1-3-2 Fees

Authority: IC 25-1-8-2

Affected: IC 25-32-1

Sec. 2. The following fees apply to all registered environmental health specialists and applicants:

Application for registration/issuance	<del>\$30</del> <b>\$50</b>
Examination or reexamination	Applicant's cost to examination service to purchase the examination
<b>License Registration</b> renewal (July 31 of odd-numbered years)	<del>\$20</del> <b>\$35</b>
<b>Penalty for delinquent renewal</b>	<del>\$10</del> (plus current renewal fee)
Verification of registration	\$10
Duplicate registration certificate	\$10

(Board of Environmental Health Specialists; 896 IAC 1-3-2; filed Oct 26, 1990, 3:07 p.m.: 14 IR 451; filed Oct 4, 1991, 5:00 p.m.: 15 IR 109; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006; filed May 20, 1996, 3:00 p.m.: 19 IR 2883)

### Notice of Public Hearing

Under IC 4-22-2-24 and IC 4-22-2.5-3, notice is hereby given

that on November 15, 2001 at 10:45 a.m., at the Indiana Government Center-South, 402 West Washington Street, Room W041, Indianapolis, Indiana the Board of Environmental Health Specialists will hold a public hearing to readopt rules.

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to:

Cindy Vaught, Director  
Health Professions Bureau  
Indiana Board of Environmental Health Specialists  
402 West Washington Street  
Room W041  
Indianapolis, Indiana 46204  
E-mail: cvaught@hpb.state.in.us.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes  
Director  
Health Professions Bureau

**TITLE 40 STATE ETHICS COMMISSION**

LSA Document #01-50(F)

**DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>40 IAC 2-1-1</b>	<b>40 IAC 2-1-8</b>
<b>40 IAC 2-1-2</b>	<b>40 IAC 2-1-9</b>
<b>40 IAC 2-1-3</b>	<b>40 IAC 2-1-14</b>
<b>40 IAC 2-1-4</b>	<b>40 IAC 2-2</b>
<b>40 IAC 2-1-6</b>	<b>40 IAC 2-3</b>
<b>40 IAC 2-1-7</b>	<b>40 IAC 2-4</b>
<b>40 IAC 2-1-7.1</b>	<b>40 IAC 2-5</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

40 IAC 2-1-1	Name of rule
40 IAC 2-1-2	Other sources
40 IAC 2-1-3	Purpose
40 IAC 2-1-4	Definitions
40 IAC 2-1-6	Acceptable gifts, favors, services, entertainment, food, drink, and honoraria
40 IAC 2-1-7	Appearances; activities; expenses
40 IAC 2-1-7.1	Political activity
40 IAC 2-1-8	Moonlighting
40 IAC 2-1-9	Conflict of interest; prohibitions
40 IAC 2-1-14	Severability of title
40 IAC 2-2	Advisory Opinions before the State Ethics Commission
40 IAC 2-3	Adjudication Proceedings before the State Ethics Commission
40 IAC 2-4	Financial Disclosure to the State Ethics Commission
40 IAC 2-5	General Procedural Provisions of the State Ethics Commission

*LSA Document #01-50(F)**Intent to Readopt Rules Published: March 1, 2001; 24 IR 1942**Proposed Readopted Rules Published: May 1, 2001; 24 IR 2568**Hearing Held: June 14, 2001**Filed with Secretary of State: August 2, 2001, 3:15 p.m.*

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**TITLE 140 BUREAU OF MOTOR VEHICLES**

LSA Document #01-74(F)

**DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that

all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 1-1-3</b>	<b>140 IAC 1-4.5-7</b>
<b>140 IAC 1-1-5</b>	<b>140 IAC 1-4.5-8</b>
<b>140 IAC 1-1-6</b>	<b>140 IAC 1-5-1</b>
<b>140 IAC 1-1-8</b>	<b>140 IAC 1-5-2</b>
<b>140 IAC 1-1-9</b>	<b>140 IAC 1-7-1</b>
<b>140 IAC 1-1-10</b>	<b>140 IAC 1-7-2</b>
<b>140 IAC 1-1-12</b>	<b>140 IAC 1-7-3</b>
<b>140 IAC 1-2-1</b>	<b>140 IAC 1-7-4</b>
<b>140 IAC 1-2-4</b>	<b>140 IAC 1-7-5</b>
<b>140 IAC 1-4.5-1</b>	<b>140 IAC 1-7-6</b>
<b>140 IAC 1-4.5-2</b>	<b>140 IAC 1-7-7</b>
<b>140 IAC 1-4.5-3</b>	<b>140 IAC 1-7-8</b>
<b>140 IAC 1-4.5-5</b>	<b>140 IAC 1-8-2</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 1-1-3	Service on attorney
140 IAC 1-1-5	Continuances
140 IAC 1-1-6	Admissibility and presentation of evidence
140 IAC 1-1-8	Presiding officer; powers
140 IAC 1-1-9	Findings of fact
140 IAC 1-1-10	Hearing officer; determination
140 IAC 1-1-12	Petition for reconsideration or rehearing
140 IAC 1-2-1	Definitions
140 IAC 1-2-4	Form of proof of financial responsibility
140 IAC 1-4.5-1	Definitions
140 IAC 1-4.5-2	Objective
140 IAC 1-4.5-3	Point study committee
140 IAC 1-4.5-5	Out-of-state convictions of judgments
140 IAC 1-4.5-7	Defensive driving course; point credit for completion
140 IAC 1-4.5-8	Unlicensed drivers
140 IAC 1-5-1	Definitions
140 IAC 1-5-2	Providing proof of financial responsibility for motor vehicles; procedures
140 IAC 1-7-1	Definitions
140 IAC 1-7-2	Requests for self-insurance
140 IAC 1-7-3	Financial collateral
140 IAC 1-7-4	Payments from collateral
140 IAC 1-7-5	Schedule of claims incurred; additional collateral
140 IAC 1-7-6	Master self-insurance agreement for churches and associations
140 IAC 1-7-7	Issuance of self-insurance certificates and number; renewal of certificates
140 IAC 1-7-8	Cancellation or refusal to renew certificates
140 IAC 1-8-2	Specifications; levels

*LSA Document #01-74(F)**Intent to Readopt Rules Published: April 1, 2001; 24 IR 2194*



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## Readopted Rules

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*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2862*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:23 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-76(F)

#### DIGEST

Readopts rules anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 2-1-1</b>	<b>140 IAC 2-3-4</b>
<b>140 IAC 2-1-2</b>	<b>140 IAC 2-3-5</b>
<b>140 IAC 2-1-3</b>	<b>140 IAC 2-3-6</b>
<b>140 IAC 2-1-8</b>	<b>140 IAC 2-3-7</b>
<b>140 IAC 2-1-9</b>	<b>140 IAC 2-4-1</b>
<b>140 IAC 2-1-10</b>	<b>140 IAC 2-4-2</b>
<b>140 IAC 2-2-1</b>	<b>140 IAC 2-4-5</b>
<b>140 IAC 2-2-2</b>	<b>140 IAC 2-4-6</b>
<b>140 IAC 2-2-3</b>	<b>140 IAC 2-4-7</b>
<b>140 IAC 2-3-1</b>	<b>140 IAC 2-4-8</b>
<b>140 IAC 2-3-2</b>	<b>140 IAC 2-4-10</b>
<b>140 IAC 2-3-3</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 2-1-1	Definitions
140 IAC 2-1-2	Valuation of vehicles
140 IAC 2-1-3	Valuation of unlisted vehicles
140 IAC 2-1-8	Early registration
140 IAC 2-1-9	Registration after registration month
140 IAC 2-1-10	Registration by mail
140 IAC 2-2-1	Registration of semitrailer and issuance of plate
140 IAC 2-2-2	Five year semitrailer registration
140 IAC 2-2-3	Permanent semitrailer registration
140 IAC 2-3-1	Proof of foreign citizenship
140 IAC 2-3-2	Proof of state of manufacture
140 IAC 2-3-3	Proof of intent
140 IAC 2-3-4	Proof of financial responsibility
140 IAC 2-3-5	Fee and service charge
140 IAC 2-3-6	Display of permit
140 IAC 2-3-7	Month and year stickers
140 IAC 2-4-1	Statement of intent
140 IAC 2-4-2	Petition for special group status
140 IAC 2-4-5	Preproduction requirements and costs
140 IAC 2-4-6	Not-for-profit
140 IAC 2-4-7	Nondiscriminatory; nonrecreational

- 140 IAC 2-4-8 Separate, unique organization
- 140 IAC 2-4-10 Miscellaneous provisions

*LSA Document #01-76(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2195*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2872*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:24 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-78(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 3-3-1</b>	<b>140 IAC 3-3-12</b>
<b>140 IAC 3-3-2</b>	<b>140 IAC 3-3-13</b>
<b>140 IAC 3-3-3</b>	<b>140 IAC 3-3-14</b>
<b>140 IAC 3-3-4</b>	<b>140 IAC 3-3-15</b>
<b>140 IAC 3-3-5</b>	<b>140 IAC 3-3-16</b>
<b>140 IAC 3-3-7</b>	<b>140 IAC 3-4-1</b>
<b>140 IAC 3-3-8</b>	<b>140 IAC 3-4-2</b>
<b>140 IAC 3-3-9</b>	<b>140 IAC 3-4-3</b>
<b>140 IAC 3-3-10</b>	<b>140 IAC 3-5-1</b>
<b>140 IAC 3-3-11</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 3-3-1	Purpose
140 IAC 3-3-2	Definitions
140 IAC 3-3-3	Major component parts subject to record keeping
140 IAC 3-3-4	Record keeping; parts marking
140 IAC 3-3-5	Sale of salvage motor vehicles or major component parts
140 IAC 3-3-7	Alternative to prescribed forms
140 IAC 3-3-8	Model years for record keeping purposes
140 IAC 3-3-9	Verification of seller's identity
140 IAC 3-3-10	Return of titles to bureau of motor vehicles
140 IAC 3-3-11	Compliance with licensing requirement
140 IAC 3-3-12	Salvage motor vehicle license revocation and suspension
140 IAC 3-3-13	Return of suspended or revoked licenses
140 IAC 3-3-14	Commissioner's cease and desist order
140 IAC 3-3-15	License reinstatement
140 IAC 3-3-16	General applicability
140 IAC 3-4-1	Businesses eligible for transport operator plates

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## Readopted Rules

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140 IAC 3-4-2 Insurance coverage  
140 IAC 3-4-3 Change of address  
140 IAC 3-5-1 Utilization of training car plates

*LSA Document #01-78(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2195*  
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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-80(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

140 IAC 3.5-1-1	140 IAC 3.5-1-23
140 IAC 3.5-1-2	140 IAC 3.5-1-24
140 IAC 3.5-1-3	140 IAC 3.5-1-25
140 IAC 3.5-1-4	140 IAC 3.5-1-26
140 IAC 3.5-1-5	140 IAC 3.5-1-27
140 IAC 3.5-1-6	140 IAC 3.5-1-28
140 IAC 3.5-1-7	140 IAC 3.5-1-29
140 IAC 3.5-1-8	140 IAC 3.5-1-30
140 IAC 3.5-1-9	140 IAC 3.5-1-31
140 IAC 3.5-1-10	140 IAC 3.5-2-1
140 IAC 3.5-1-11	140 IAC 3.5-2-2
140 IAC 3.5-1-12	140 IAC 3.5-2-3
140 IAC 3.5-1-13	140 IAC 3.5-2-5
140 IAC 3.5-1-14	140 IAC 3.5-2-6
140 IAC 3.5-1-15	140 IAC 3.5-2-7
140 IAC 3.5-1-16	140 IAC 3.5-2-8
140 IAC 3.5-1-17	140 IAC 3.5-2-10
140 IAC 3.5-1-18	140 IAC 3.5-2-12
140 IAC 3.5-1-19	140 IAC 3.5-2-14
140 IAC 3.5-1-20	140 IAC 3.5-2-16
140 IAC 3.5-1-21	140 IAC 3.5-2-17
140 IAC 3.5-1-22	140 IAC 3.5-2-18

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 3.5-1-1	Applicability
140 IAC 3.5-1-2	"Automobile auctioneer" defined
140 IAC 3.5-1-3	"Automotive salvage rebuilder" defined
140 IAC 3.5-1-4	"Automotive salvage recycler" defined
140 IAC 3.5-1-5	"Broker" defined
140 IAC 3.5-1-6	"Certificate of origin" defined

140 IAC 3.5-1-7	"Commissioner" defined
140 IAC 3.5-1-8	"Consignee" defined
140 IAC 3.5-1-9	"Consignment of sales" defined
140 IAC 3.5-1-10	"Consignor" defined
140 IAC 3.5-1-11	"Converter manufacturer" defined
140 IAC 3.5-1-12	"Dealer" defined
140 IAC 3.5-1-13	"Dealer plate" defined
140 IAC 3.5-1-14	"Designee" defined
140 IAC 3.5-1-15	"Established place of business" defined
140 IAC 3.5-1-16	"License year" defined
140 IAC 3.5-1-17	"Manufacturer" defined
140 IAC 3.5-1-18	"Mobile home" defined
140 IAC 3.5-1-19	"Mobile home dealer" defined
140 IAC 3.5-1-20	"Motor vehicle industry sponsored trade show" defined
140 IAC 3.5-1-21	"Motor vehicle trade association" defined
140 IAC 3.5-1-22	"New or used motorcycle dealer" defined
140 IAC 3.5-1-23	"Place of business" defined
140 IAC 3.5-1-24	"Primary business" defined
140 IAC 3.5-1-25	"Recreational vehicle" defined
140 IAC 3.5-1-26	"Recreational vehicle dealer" defined
140 IAC 3.5-1-27	"Set of plates" defined
140 IAC 3.5-1-28	"Trailer" defined
140 IAC 3.5-1-29	"Trailer dealer" defined
140 IAC 3.5-1-30	"Transfer dealer" defined
140 IAC 3.5-1-31	"Wholesale dealer" defined
140 IAC 3.5-2-1	Issuance and use of dealer plates
140 IAC 3.5-2-2	Certificates of origin for converted vehicles
140 IAC 3.5-2-3	Classification of dealer plates
140 IAC 3.5-2-5	Issuance of off-site sales licenses; general conditions and minimum requirements
140 IAC 3.5-2-6	Dealer plates; restrictions on use
140 IAC 3.5-2-7	Manufacturer license requirements
140 IAC 3.5-2-8	Manufacturer plates; restrictions on use
140 IAC 3.5-2-10	Transfer dealer plates; restrictions on use
140 IAC 3.5-2-12	Number of dealer, manufacturer, or interim plates
140 IAC 3.5-2-14	Consignment sales
140 IAC 3.5-2-16	Denial, suspension, or revocation of dealer license and plate; hearing
140 IAC 3.5-2-17	Operation without license; cease and desist order
140 IAC 3.5-2-18	Dealer licensing fees; procedures for handling

*LSA Document #01-80(F)*

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*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2876*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:26 a.m.*

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## Readopted Rules

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-82(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 4-1-1</b>	<b>140 IAC 4-1-9</b>
<b>140 IAC 4-1-2</b>	<b>140 IAC 4-1-10</b>
<b>140 IAC 4-1-3</b>	<b>140 IAC 4-1-12</b>
<b>140 IAC 4-1-6</b>	<b>140 IAC 4-1-14</b>
<b>140 IAC 4-1-7</b>	<b>140 IAC 4-2-1</b>
<b>140 IAC 4-1-8</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 4-1-1	Definitions
140 IAC 4-1-2	Application for school license
140 IAC 4-1-3	License term; transfer; display; replacement; changes; renewal
140 IAC 4-1-6	Name of school
140 IAC 4-1-7	Ownership of more than one school
140 IAC 4-1-8	Records
140 IAC 4-1-9	Contracts with students
140 IAC 4-1-10	Insurance coverage
140 IAC 4-1-12	Curriculum
140 IAC 4-1-14	General provisions
140 IAC 4-2-1	Waiver of age and experience requirements

*LSA Document #01-82(F)*

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*Filed with Secretary of State: July 30, 2001, 10:27 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-84(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 5-1-1</b>	<b>140 IAC 5-1-6</b>
<b>140 IAC 5-1-5</b>	<b>140 IAC 5-1-7</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 5-1-1	Definitions
140 IAC 5-1-5	Marking and displaying vehicles before auction
140 IAC 5-1-6	Approval of storage facilities or towing services
140 IAC 5-1-7	Withdrawal of approval of storage facilities

*LSA Document #01-84(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2198*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2883*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:28 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-86(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>140 IAC 6-1-1</b>	<b>140 IAC 6-1-12</b>
<b>140 IAC 6-1-2</b>	<b>140 IAC 6-1-13</b>
<b>140 IAC 6-1-3</b>	<b>140 IAC 6-1-14</b>
<b>140 IAC 6-1-4</b>	<b>140 IAC 6-1-15</b>
<b>140 IAC 6-1-5</b>	<b>140 IAC 6-1-16</b>
<b>140 IAC 6-1-6</b>	<b>140 IAC 6-1-17</b>
<b>140 IAC 6-1-8</b>	<b>140 IAC 6-1-18</b>
<b>140 IAC 6-1-9</b>	<b>140 IAC 6-1-19</b>
<b>140 IAC 6-1-10</b>	<b>140 IAC 6-1-20</b>
<b>140 IAC 6-1-11</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 6-1-1	Definitions
140 IAC 6-1-2	Application for title; contents
140 IAC 6-1-3	Change of name
140 IAC 6-1-4	Adding or removing names from title
140 IAC 6-1-5	Body change title
140 IAC 6-1-6	Delinquent fee for late application
140 IAC 6-1-8	Transfer of title of decedent owner
140 IAC 6-1-9	Police check
140 IAC 6-1-10	Title for vehicle previously titled
140 IAC 6-1-11	Procedures and requirements for application
140 IAC 6-1-12	Correction of assignments
140 IAC 6-1-13	Certificates of origin; contents; assignment
140 IAC 6-1-14	Dealer's title; assignment
140 IAC 6-1-15	Repossession title; resale
140 IAC 6-1-16	Salvage title; conversion; assignment; transfer

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## Readopted Rules

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- 140 IAC 6-1-17 Motor vehicle identification number; application
- 140 IAC 6-1-18 Correction to vehicle identification number
- 140 IAC 6-1-19 Levy on mechanic's or garage lien; title
- 140 IAC 6-1-20 Stop title orders; removal

*LSA Document #01-86(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2198*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2886*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:29 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-88(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

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|-----------------------|-----------------------|
| <b>140 IAC 7-2-1</b>  | <b>140 IAC 7-3-4</b>  |
| <b>140 IAC 7-2-2</b>  | <b>140 IAC 7-3-6</b>  |
| <b>140 IAC 7-2-3</b>  | <b>140 IAC 7-3-7</b>  |
| <b>140 IAC 7-2-4</b>  | <b>140 IAC 7-3-8</b>  |
| <b>140 IAC 7-2-9</b>  | <b>140 IAC 7-3-12</b> |
| <b>140 IAC 7-2-10</b> | <b>140 IAC 7-3-14</b> |
| <b>140 IAC 7-2-11</b> | <b>140 IAC 7-3-15</b> |
| <b>140 IAC 7-2-12</b> | <b>140 IAC 7-3-16</b> |
| <b>140 IAC 7-3-1</b>  | <b>140 IAC 7-3-18</b> |
| <b>140 IAC 7-3-2</b>  | <b>140 IAC 7-3-19</b> |
| <b>140 IAC 7-3-3</b>  | <b>140 IAC 7-3-20</b> |

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 140 IAC 7-2-1 Definitions
- 140 IAC 7-2-2 Motorcycle learner's permit
- 140 IAC 7-2-3 Motorcycle temporary learner's permit
- 140 IAC 7-2-4 Motorcycle license endorsement
- 140 IAC 7-2-9 Fees for skills test
- 140 IAC 7-2-10 Certified motorcycle examiners; qualifications
- 140 IAC 7-2-11 Licensing of motorcycle training instructors
- 140 IAC 7-2-12 Suspension or revocation of instructor license or examiner certification
- 140 IAC 7-3-1 Definitions
- 140 IAC 7-3-2 General
- 140 IAC 7-3-3 Applicant
- 140 IAC 7-3-4 Application
- 140 IAC 7-3-6 Physical examination requirements

- 140 IAC 7-3-7 Description
- 140 IAC 7-3-8 Classes
- 140 IAC 7-3-12 Commercial driving schools approved
- 140 IAC 7-3-14 Examiners; suspension and revocation of certification
- 140 IAC 7-3-15 Fees
- 140 IAC 7-3-16 Exemptions
- 140 IAC 7-3-18 Reciprocity
- 140 IAC 7-3-19 Administrative hearings
- 140 IAC 7-3-20 Grandfather clause

*LSA Document #01-88(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2199*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2887*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:30 a.m.*

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### TITLE 140 BUREAU OF MOTOR VEHICLES

LSA Document #01-90(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

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|-----------------------|-----------------------|
| <b>140 IAC 9-1-1</b>  | <b>140 IAC 9-1-25</b> |
| <b>140 IAC 9-1-2</b>  | <b>140 IAC 9-1-26</b> |
| <b>140 IAC 9-1-3</b>  | <b>140 IAC 9-1-27</b> |
| <b>140 IAC 9-1-4</b>  | <b>140 IAC 9-1-28</b> |
| <b>140 IAC 9-1-5</b>  | <b>140 IAC 9-1-29</b> |
| <b>140 IAC 9-1-6</b>  | <b>140 IAC 9-2-1</b>  |
| <b>140 IAC 9-1-7</b>  | <b>140 IAC 9-2-2</b>  |
| <b>140 IAC 9-1-8</b>  | <b>140 IAC 9-2-3</b>  |
| <b>140 IAC 9-1-9</b>  | <b>140 IAC 9-2-4</b>  |
| <b>140 IAC 9-1-10</b> | <b>140 IAC 9-2-5</b>  |
| <b>140 IAC 9-1-11</b> | <b>140 IAC 9-2-6</b>  |
| <b>140 IAC 9-1-12</b> | <b>140 IAC 9-2-7</b>  |
| <b>140 IAC 9-1-13</b> | <b>140 IAC 9-2-8</b>  |
| <b>140 IAC 9-1-14</b> | <b>140 IAC 9-2-9</b>  |
| <b>140 IAC 9-1-15</b> | <b>140 IAC 9-2-10</b> |
| <b>140 IAC 9-1-16</b> | <b>140 IAC 9-2-11</b> |
| <b>140 IAC 9-1-17</b> | <b>140 IAC 9-2-12</b> |
| <b>140 IAC 9-1-18</b> | <b>140 IAC 9-2-13</b> |
| <b>140 IAC 9-1-19</b> | <b>140 IAC 9-2-14</b> |
| <b>140 IAC 9-1-20</b> | <b>140 IAC 9-2-15</b> |
| <b>140 IAC 9-1-21</b> | <b>140 IAC 9-2-16</b> |
| <b>140 IAC 9-1-22</b> | <b>140 IAC 9-2-17</b> |
| <b>140 IAC 9-1-23</b> | <b>140 IAC 9-2-18</b> |
| <b>140 IAC 9-1-24</b> | <b>140 IAC 9-2-19</b> |

## Readopted Rules

140 IAC 9-2-20  
140 IAC 9-2-21  
140 IAC 9-2-22  
140 IAC 9-2-23  
140 IAC 9-2-24  
140 IAC 9-2-25  
140 IAC 9-2-26  
140 IAC 9-2-27  
140 IAC 9-3-1  
140 IAC 9-3-2  
140 IAC 9-3-3  
140 IAC 9-3-4  
140 IAC 9-3-5  
140 IAC 9-3-6  
140 IAC 9-3-7

140 IAC 9-3-8  
140 IAC 9-3-9  
140 IAC 9-3-10  
140 IAC 9-3-11  
140 IAC 9-3-12  
140 IAC 9-3-13  
140 IAC 9-3-14  
140 IAC 9-4-1  
140 IAC 9-4-2  
140 IAC 9-4-3  
140 IAC 9-4-4  
140 IAC 9-4-5  
140 IAC 9-4-6  
140 IAC 9-4-7

140 IAC 9-2-4 Used watercraft acquired from a person (other than a boat dealer, an importer, or a manufacturer)  
140 IAC 9-2-5 Watercraft constructed by an applicant or for an applicant by another person not engaged in the manufacture or sale of watercraft  
140 IAC 9-2-6 Watercraft acquired before January 1, 1986  
140 IAC 9-2-7 United States Coast Guard documented vessel  
140 IAC 9-2-8 Watercraft for which the transfer of ownership is by operation of law  
140 IAC 9-2-9 Watercraft sold on consignment  
140 IAC 9-2-10 Watercraft transferred as a gift, prize, or otherwise  
140 IAC 9-2-11 Watercraft abandoned on private property  
140 IAC 9-2-12 Any other watercraft  
140 IAC 9-2-13 Lack of documentation  
140 IAC 9-2-14 Application for certificate of title  
140 IAC 9-2-15 Hull identification number  
140 IAC 9-2-16 Regularity of application; payment of sales and use taxes by owner  
140 IAC 9-2-17 Temporary title and registration  
140 IAC 9-2-18 Numbering certificates of title  
140 IAC 9-2-19 Cancellation of certificate of title  
140 IAC 9-2-20 Cancellation of registration  
140 IAC 9-2-21 Delivery of certificate of title  
140 IAC 9-2-22 Lien on canceled certificate of title  
140 IAC 9-2-23 Authorized agents for manufacturers and importers  
140 IAC 9-2-24 Determination of taxation  
140 IAC 9-2-25 Police check before issuance of a watercraft title  
140 IAC 9-2-26 Refunds; corrections  
140 IAC 9-2-27 Fee for late title application  
140 IAC 9-3-1 General requirements  
140 IAC 9-3-2 Manufacturer's and importer's certificate of origin  
140 IAC 9-3-3 Dealer registration; plates and restrictions  
140 IAC 9-3-4 Temporary permits  
140 IAC 9-3-5 Dealer certificates of registration or temporary permits to be issued to a dealer or manufacturer  
140 IAC 9-3-6 Transfer dealer license  
140 IAC 9-3-7 Discount dealer license  
140 IAC 9-3-8 Determining the number of boats or watercraft sold  
140 IAC 9-3-9 Providing documentation to purchaser  
140 IAC 9-3-10 Consignment sales  
140 IAC 9-3-11 Investigation and evaluation of qualifications  
140 IAC 9-3-12 Validity of license; change of business name or location  
140 IAC 9-3-13 Denial, suspension, or revocation of the dealer license and plates  
140 IAC 9-3-14 Issuance of cease and desist order by commissioner

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

140 IAC 9-1-1 Applicability  
140 IAC 9-1-2 "Auctioneer" defined  
140 IAC 9-1-3 "Bill of sale" defined  
140 IAC 9-1-4 "Boat" defined  
140 IAC 9-1-5 "Boat dealer" defined  
140 IAC 9-1-6 "Broker" defined  
140 IAC 9-1-7 "Bureau" defined  
140 IAC 9-1-8 "Conservation officer" defined  
140 IAC 9-1-9 "Consignee" defined  
140 IAC 9-1-10 "Consignment sale" defined  
140 IAC 9-1-11 "Consignor" defined  
140 IAC 9-1-12 "Dealer plates" defined  
140 IAC 9-1-13 "Dealer registration" defined  
140 IAC 9-1-14 "Discount dealer" defined  
140 IAC 9-1-15 "Distributor" defined  
140 IAC 9-1-16 "Hull identification number" defined  
140 IAC 9-1-17 "Human powered vessel" defined  
140 IAC 9-1-18 "License year" defined  
140 IAC 9-1-19 "Manufacturer" defined  
140 IAC 9-1-20 "Motorboat" defined  
140 IAC 9-1-21 "Person" defined  
140 IAC 9-1-22 "Police officer" defined  
140 IAC 9-1-23 "Probation" defined  
140 IAC 9-1-24 "Revocation" defined  
140 IAC 9-1-25 "Special dealer permit" defined  
140 IAC 9-1-26 "Suspension" defined  
140 IAC 9-1-27 "Transfer dealer" defined  
140 IAC 9-1-28 "Watercraft" defined  
140 IAC 9-1-29 "Wholesale dealer" defined  
140 IAC 9-2-1 Establishment of ownership before issuance of a certificate of title  
140 IAC 9-2-2 New watercraft purchased directly from a manufacturer or an importer through a boat dealer  
140 IAC 9-2-3 Used watercraft purchased from a boat dealer

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## Readopted Rules

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- 140 IAC 9-4-1 Identification number
- 140 IAC 9-4-2 Display of identification number
- 140 IAC 9-4-3 Application for identification number
- 140 IAC 9-4-4 Certificate of identification number
- 140 IAC 9-4-5 Dealer's and manufacturer's identification number; display
- 140 IAC 9-4-6 Livery boats
- 140 IAC 9-4-7 Renewal of identification number

*LSA Document #01-90(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2199*

*Proposed Readopted Rules Published: June 1, 2001; 24 IR 2890*

*Hearing Held: July 3, 2001*

*Filed with Secretary of State: July 30, 2001, 10:31 a.m.*

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### **TITLE 170 INDIANA UTILITY REGULATORY COMMISSION**

LSA Document #01-54(F)

#### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

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|----------------------|----------------------|
| <b>170 IAC 1-1.5</b> | <b>170 IAC 6-5</b>   |
| <b>170 IAC 1-2</b>   | <b>170 IAC 7-1.1</b> |
| <b>170 IAC 1-3</b>   | <b>170 IAC 7-2.1</b> |
| <b>170 IAC 4-1</b>   | <b>170 IAC 7-4-8</b> |
| <b>170 IAC 4-1.5</b> | <b>170 IAC 7-5</b>   |
| <b>170 IAC 4-2</b>   | <b>170 IAC 8-2</b>   |
| <b>170 IAC 4-3</b>   | <b>170 IAC 8.5-1</b> |
| <b>170 IAC 4-4.1</b> | <b>170 IAC 8.5-2</b> |
| <b>170 IAC 4-5</b>   | <b>170 IAC 8.5-3</b> |
| <b>170 IAC 4-6</b>   | <b>170 IAC 8.5-4</b> |
| <b>170 IAC 4-7</b>   | <b>170 IAC 8.6-1</b> |
| <b>170 IAC 4-8</b>   | <b>170 IAC 9-1</b>   |
| <b>170 IAC 5-1</b>   | <b>170 IAC 9-2.1</b> |
| <b>170 IAC 5-2</b>   | <b>170 IAC 10-1</b>  |
| <b>170 IAC 5-3</b>   | <b>170 IAC 10-2</b>  |
| <b>170 IAC 6-1</b>   | <b>170 IAC 11-1</b>  |
| <b>170 IAC 6-1.5</b> | <b>170 IAC 12-1</b>  |
| <b>170 IAC 6-2</b>   | <b>170 IAC 14-1</b>  |
| <b>170 IAC 6-3</b>   |                      |

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 170 IAC 1-1.5 Ex Parte Contacts
- 170 IAC 1-2 Construction and Filing of Schedules of Rates, Tolls and Charges by Public Utilities

- 170 IAC 1-3 Advertising Expenditures by Public Utilities
- 170 IAC 4-1 Standards of Service
- 170 IAC 4-1.5 Service to New Buildings
- 170 IAC 4-2 Classification of Accounts
- 170 IAC 4-3 Electric Supply and Signal Lines; Principles of Safety; Co-ordination with Other Utilities
- 170 IAC 4-4.1 Cogeneration and Alternate Energy Production Facilities
- 170 IAC 4-5 Electric Submeters of Master Meter Accounts
- 170 IAC 4-6 Ratemaking Treatment of Qualified Pollution Control Property Under Construction
- 170 IAC 4-7 Guidelines for Integrated Resource Planning by an Electric Utility
- 170 IAC 4-8 Guidelines for Demand-Side Cost Recovery by Electric Utilities
- 170 IAC 5-1 Standards of Service
- 170 IAC 5-2 Classification of Accounts
- 170 IAC 5-3 Minimum Safety Standards for the Transportation of Gas and Related Pipeline Facilities
- 170 IAC 6-1 Standards of Service
- 170 IAC 6-1.5 Extension of Water Mains
- 170 IAC 6-2 Classification of Accounts for Class A, B, and C Water Utilities
- 170 IAC 6-3 Central Station Hot Water Heating Utilities
- 170 IAC 6-5 Water Tracker Procedure
- 170 IAC 7-1.1 Standards of Service
- 170 IAC 7-2.1 Classification of Accounts for Class A and B Telephone Companies
- 170 IAC 7-4-8 Procedure for establishing extended area service
- 170 IAC 7-5 Small Local Exchange Carriers
- 170 IAC 8-2 Classification of Accounts for Class A, B, and C Private Rural Sewage Utilities
- 170 IAC 8.5-1 General Provisions
- 170 IAC 8.5-2 Customer Rights and Responsibilities
- 170 IAC 8.5-3 Operation of Sewage Lines
- 170 IAC 8.5-4 Extension of Sewer Mains
- 170 IAC 8.6-1 General Provisions
- 170 IAC 9-1 Accounting System Requirements for Telephone Company Borrowers
- 170 IAC 9-2.1 Accounting System Requirements for Electric Borrowers
- 170 IAC 10-1 Telephone Companies
- 170 IAC 10-2 Electric, Gas and Water Utilities
- 170 IAC 11-1 General Provisions
- 170 IAC 12-1 Accounting; Record Keeping
- 170 IAC 14-1 Rate Changes

*LSA Document #01-54(F)*

*Intent to Readopt Rules Published: March 1, 2001; 24 IR 1943*

*Proposed Readopted Rules Published: May 1, 2001; 24 IR 2568*

*Hearing Held: June 7, 2001*

*Filed with Secretary of State: July 11, 2001, 4:30 p.m.*

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## Readopted Rules

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### TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #01-10(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

410 IAC 1-1	410 IAC 7-5-1
410 IAC 1-2.2	410 IAC 7-6-1
410 IAC 1-3	410 IAC 7-13-1
410 IAC 1-4	410 IAC 7-15.5
410 IAC 2-1	410 IAC 7-19-1
410 IAC 2-2	410 IAC 12-1
410 IAC 3-1	410 IAC 12.1
410 IAC 3-1.1	410 IAC 13-1
410 IAC 3-2	410 IAC 14-1
410 IAC 3-3	410 IAC 15-1.1
410 IAC 3.2	410 IAC 15-1.2
410 IAC 5-1	410 IAC 15-1.3
410 IAC 5-2	410 IAC 15-1.4
410 IAC 5-3	410 IAC 15-1.5
410 IAC 5-4	410 IAC 15-1.6
410 IAC 5-5	410 IAC 15-1.7
410 IAC 5-6.1	410 IAC 15-3
410 IAC 5-7	410 IAC 16.2
410 IAC 5-8	410 IAC 17-1.1
410 IAC 5-9	410 IAC 17-2
410 IAC 5-10	410 IAC 17-3
410 IAC 5-11	410 IAC 17-4
410 IAC 5.1	410 IAC 17-5
410 IAC 6-1	410 IAC 17-6
410 IAC 6-2	410 IAC 17-7
410 IAC 6-3	410 IAC 17-8
410 IAC 6-4	410 IAC 17.1
410 IAC 6-5.1	410 IAC 18-1
410 IAC 6-6	410 IAC 18-2
410 IAC 6-7	410 IAC 19-1
410 IAC 6-8.1	410 IAC 19-2
410 IAC 6-9	410 IAC 21-1
410 IAC 6-10	410 IAC 23
410 IAC 6-11	410 IAC 24
410 IAC 6-12	410 IAC 25

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING  
ARE READOPTED:

410 IAC 1-1 Immunization of School Children  
410 IAC 1-2.2 Notification of Person at Risk  
410 IAC 1-3 Infectious Waste  
410 IAC 1-4 Universal Precautions  
410 IAC 2-1 General Regulation

410 IAC 2-2 Tuberculosis Out-Patient Clinic Subsidy  
Payments  
410 IAC 3-1 Vision Acuity Testing  
410 IAC 3-1.1 Visual Acuity Testing; Modified Clinical  
Technique  
410 IAC 3-2 Lead Poisoning Testing; Sickle Cell Anemia  
Testing  
410 IAC 3-3 Examination of Infants for Disorders  
410 IAC 3.2 CHILDREN WITH SPECIAL HEALTH  
CARE NEEDS  
410 IAC 5-1 General Provisions  
410 IAC 5-2 Registration of Radiation Machine Facilities  
and Services  
410 IAC 5-3 Licensing of Radioactive Material  
410 IAC 5-4 Protection and Exposure Standards  
410 IAC 5-5 Non-Medical Radiography  
410 IAC 5-6.1 X-Rays in the Healing Arts  
410 IAC 5-7 Sealed Radioactive Sources in the Healing Arts  
410 IAC 5-8 Radiation Safety Requirements for Analytical  
X-Ray Equipment  
410 IAC 5-9 Radiation Safety Requirements for Particle  
Accelerators  
410 IAC 5-10 Notices, Instructions and Reports to Workers;  
Inspections  
410 IAC 5-11 Diagnostic Radiation Machine Operators;  
Certification  
410 IAC 5.1 RADON  
410 IAC 6-1 Sewer Use; Cities and Towns  
410 IAC 6-2 Swimming Pools and Wading Pools  
410 IAC 6-3 Plumbing Regulations  
410 IAC 6-4 Heating, Ventilating and Air Conditioning  
Regulations  
410 IAC 6-5.1 School Buildings and School Sites; Health  
and Safety Requirements  
410 IAC 6-6 Mobile Home Park Sanitation and Safety  
410 IAC 6-7 Camp Sanitation and Safety  
410 IAC 6-8.1 Residential Sewage Disposal Systems  
410 IAC 6-9 Agricultural Labor Camps  
410 IAC 6-10 Commercial On-Site Wastewater Disposal  
410 IAC 6-11 School-Age Child Care Facilities  
410 IAC 6-12 Plan Review, Construction Permits, and Fees  
for Services  
410 IAC 7-5-1 Food misbranding  
410 IAC 7-6-1 Labeling requirements; exemptions in case  
of food  
410 IAC 7-13-1 Cold storage locker plants  
410 IAC 7-15.5 Sanitation of Bed and Breakfast Establish-  
ment  
410 IAC 7-19-1 Retail and manufactured food production  
and processing  
410 IAC 12-1 Commercial Weighing and Measuring De-  
vices  
410 IAC 12.1 MOTOR FUEL  
410 IAC 13-1 General Provisions; Dimensions; Labeling;  
Sterilization

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## Readopted Rules

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410 IAC 14-1 Application for Aid for Hospital or Health Center Construction Projects, Hearing and Review  
410 IAC 15-1.1 Definitions  
410 IAC 15-1.2 Compliance with Rule  
410 IAC 15-1.3 Licensure Requirements  
410 IAC 15-1.4 Governing Board Responsibilities  
410 IAC 15-1.5 Required Hospital Services  
410 IAC 15-1.6 Optional Hospital Services  
410 IAC 15-1.7 Incorporation by Reference  
410 IAC 15-3 Hospital Financial Disclosure  
410 IAC 16.2 HEALTH FACILITIES; LICENSING AND OPERATIONAL STANDARDS  
410 IAC 17-1.1 Definitions  
410 IAC 17-2 Home Health Licensure  
410 IAC 17-3 State Administrative Actions  
410 IAC 17-4 Home Health Administration and Management  
410 IAC 17-5 Home Health Patient Care  
410 IAC 17-6 Home Health Care Services  
410 IAC 17-7 Home Health Clinical Records  
410 IAC 17-8 Incorporation by Reference  
410 IAC 17.1 HOSPICE PROGRAM PROVIDER CERTIFICATION  
410 IAC 18-1 Provisional Certificate of Death  
410 IAC 18-2 Training and Registration of Eye Enucleators  
410 IAC 19-1 Operation of Vehicles on the Grounds of the State Board of Health and Special Institutions  
410 IAC 19-2 Choke-Saving Methods Placards  
410 IAC 21-1 State Cancer Registry  
410 IAC 23 INDIANA MEDICAL AND NURSING GRANT FUND  
410 IAC 24 LOCAL HEALTH SERVICES  
410 IAC 25 ARTIFICIAL INSEMINATION

*LSA Document #01-10(F)*

*Intent to Readopt Rules Published: February 1, 2001; 24 IR 1454*

*Proposed Readopted Rules Published: April 1, 2001; 24 IR 2203*

*Hearing Held: May 16, 2001*

*Filed with Secretary of State: July 11, 2001, 2:23 p.m.*

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### TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-62(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

470 IAC 1	470 IAC 3-7
470 IAC 2-1-16	470 IAC 3-9
470 IAC 2.1	470 IAC 3-10
470 IAC 3-1	470 IAC 3-10.5
470 IAC 3-1.1	470 IAC 3-11
470 IAC 3-1.2	470 IAC 3-12
470 IAC 3-1.3	470 IAC 3-13
470 IAC 3-2	470 IAC 3-14
470 IAC 3-4.1	470 IAC 3-15
470 IAC 3-4.2	470 IAC 3.1
470 IAC 3-4.4	470 IAC 6
470 IAC 3-4.5	470 IAC 10.1
470 IAC 3-4.6	470 IAC 11.1
470 IAC 3-5-12	470 IAC 12
470 IAC 3-5.1	470 IAC 13
470 IAC 3-5.3	470 IAC 14

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

470 IAC 1 GENERAL ADMINISTRATIVE RULES  
470 IAC 2-1-16 Authority to obtain information from department's personal information system  
470 IAC 2-4-12 Replacement of lost or stolen AFDC warrants  
470 IAC 2.1 PUBLIC ASSISTANCE  
470 IAC 3-1 Licensing of Boarding Homes for Children  
470 IAC 3-1.1 Child Care Homes  
470 IAC 3-1.2 Infant and Toddler Services in a Child Care Home  
470 IAC 3-1.3 Class II Child Care Homes  
470 IAC 3-2 Licensing of Child Placing Agencies  
470 IAC 3-4.1 Licensing of Child Care Centers  
470 IAC 3-4.2 Infant/Toddler Care in Day Nurseries  
470 IAC 3-4.4 Child Care Facilities; Exempted Day Nurseries  
470 IAC 3-4.5 Child Care Facilities; Registered Day Care Ministries  
470 IAC 3-4.6 School Age Child Care Program  
470 IAC 3-5-12 Regular access authority to the child welfare-social services division personal information system  
470 IAC 3-5.1 Interstate and Intercountry Child Placing Regulations  
470 IAC 3-5.3 Interstate Compacts on Adoption and Medical Assistance  
470 IAC 3-7 Release of Information to Individuals Engaged in Research Projects on Child Abuse  
470 IAC 3-9 Adoption Assistance; Foster Care Assistance; Incorporations by Reference, Titles IV(B) and (E) of the Social Security Act  
470 IAC 3-10 Foster Care and Adoption Assistance Program  
470 IAC 3-10.5 Assisted Guardianship Program  
470 IAC 3-11 Children's Homes and Child Caring Institutions



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## Readopted Rules

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- 470 IAC 3-12 Emergency Shelter Care Children's Homes and Child Caring Institutions  
470 IAC 3-13 Private Secure Facilities  
470 IAC 3-14 Children's Homes and Child Caring Institutions Defined as Group Homes  
470 IAC 3-15 Children's Homes and Child Caring Institutions Defined as Emergency Shelter Care Group Homes  
470 IAC 3.1 FIRST STEPS EARLY INTERVENTION SYSTEM  
470 IAC 6 FOOD STAMP PROGRAM  
470 IAC 10.1 ASSISTANCE TO FAMILIES WITH DEPENDENT CHILDREN  
470 IAC 11.1 HOSPITAL CARE FOR THE INDIGENT  
470 IAC 12 PRIOR REVIEW OF OFF-SITE MEDICAL SERVICES; DEPARTMENT OF CORRECTION, STATE BOARD OF HEALTH, AND DEPARTMENT OF MENTAL HEALTH  
470 IAC 13 FEDERAL SOCIAL SERVICES BLOCK GRANT ACT  
470 IAC 14 WELFARE REFORM INITIATIVE

*LSA Document #01-62(F)*

*Intent to Readopt Rules Published: March 1, 2001; 24 IR 1945*

*Proposed Readopted Rules Published: May 1, 2001; 24 IR 2577*

*Hearing Held: June 4, 2001*

*Filed with Secretary of State: July 12, 2001, 1:40 p.m.*

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### TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS

LSA Document #00-309(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

#### 820 IAC 5

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

- 820 IAC 5 TANNING FACILITIES

*LSA Document #00-309(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1129*

*Proposed Readopted Rules Published: April 1, 2001; 24 IR 2207*

*Hearing Held: June 18, 2001*

*Filed with Secretary of State: July 17, 2001, 9:57 a.m.*

### TITLE 846 BOARD OF CHIROPRACTIC EXAMINERS

LSA Document #00-319(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

- |                      |                     |
|----------------------|---------------------|
| <b>846 IAC 1-1</b>   | <b>846 IAC 1-6</b>  |
| <b>846 IAC 1-2</b>   | <b>846 IAC 1-7</b>  |
| <b>846 IAC 1-3</b>   | <b>846 IAC 1-8</b>  |
| <b>846 IAC 1-4-5</b> | <b>846 IAC 1-9</b>  |
| <b>846 IAC 1-4-6</b> | <b>846 IAC 1-10</b> |
| <b>846 IAC 1-5</b>   |                     |

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

- 846 IAC 1-1 Board of Chiropractic Examiners, Meetings, Duties  
846 IAC 1-2 Educational Standards  
846 IAC 1-3 Scope of Practice, Standards for Competent Practice; Code of Professional Conduct  
846 IAC 1-4-5 Addresses of licensees  
846 IAC 1-4-6 Loss, destruction, or theft of license; change of name  
846 IAC 1-5 Application for License by Examination  
846 IAC 1-6 Application for License by Endorsement  
846 IAC 1-7 X-Ray Utilization  
846 IAC 1-8 Continuing Education for Renewal of License  
846 IAC 1-9 Temporary Permits  
846 IAC 1-10 Graduate Students

*LSA Document #00-319(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1131*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1963*

*Hearing Held: May 3, 2001*

*Filed with Secretary of State: July 10, 2001, 2:55 p.m.*

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### TITLE 848 INDIANA STATE BOARD OF NURSING

LSA Document #01-105(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**848 IAC 1-1-14****848 IAC 3-5-1****848 IAC 5-3-1**

SECTION 1. UNDER IC 4-22-2.5-3, 848 IAC 1-1-14 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**848 IAC 1-1-14 Fees**

Authority: IC 25-1-8-2; IC 25-23-1-7

Affected: IC 25-23-1

Sec. 14. (a) The fee for licensure by examination shall be a cost equal to the fee charged by the national provider of the exam and an additional administrative fee of ~~thirty five~~ **thirty five** dollars ~~(\$30)~~ **(\$50)** for the registered nurse examination or ~~twenty five~~ **thirty five** dollars ~~(\$20)~~ **(\$50)** for the practical nurse examination.

(b) The fee for licensure by endorsement shall be ~~thirty five~~ **thirty five** dollars ~~(\$30)~~ **(\$50)**.

(c) The fee for endorsement out of Indiana shall be ten dollars (\$10).

(d) The fee for licensure renewal shall be ~~seventeen~~ **a total of fifty** dollars ~~(\$17)~~ **(\$50)** for the biennium or any part thereof, **three dollars (\$3) of which will go toward the funding of the impaired nurses program.**

(e) The **penalty** fee for ~~reinstatement of a delinquent license~~ shall be the ~~biennial renewal fee of seventeen dollars (\$17) and an additional statutory penalty fee of ten dollars (\$10).~~ *for [sic.]* **late renewals is as established by the health professions bureau.**

(f) The fee for a temporary permit to practice nursing as an applicant awaiting licensure by endorsement, pursuant to IC 25-23-1-10.5, shall be ten dollars (\$10).

(g) The fee for a duplicate wall certificate shall be ten dollars (\$10). (*Indiana State Board of Nursing; 848 IAC 1-1-14; filed Mar 29, 1985, 10:43 a.m.: 8 IR 1028; filed Sep 12, 1985, 3:29 p.m.: 9 IR 289; filed Jun 6, 1996, 9:00 a.m.: 19 IR 3105; readopted filed Jul 30, 2001, 2:07 p.m.: 24 IR 4201*)

SECTION 2. UNDER IC 4-22-2.5-3, 848 IAC 3-5-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**848 IAC 3-5-1 Fees for nurse-midwives**

Authority: IC 25-23-1-7

Affected: IC 25-23-1-1; IC 25-23-1-13.1

Sec. 1. (a) The application fee for limited licensure as a nurse-midwife shall be ~~ten fifty~~ **ten** dollars ~~(\$10)~~ **(\$50)**.

(b) The fee for renewal of a nurse-midwife limited license shall be ~~ten fifty~~ **ten** dollars ~~(\$10)~~ **(\$50)**.

(c) The **penalty** fee for ~~reinstatement of a delinquent nurse-midwife limited license~~ shall be the ~~renewal fee plus an additional late fee of ten dollars (\$10) for each year, or portion thereof,~~ that the limited license is ~~delinquent.~~ **late renewals is as established by the health professions bureau.**

(d) The fee for a duplicate nurse-midwife wall certificate shall be ten dollars (\$10).

(e) The fee for endorsement out of Indiana for a nurse-midwife shall be ten dollars (\$10). (*Indiana State Board of Nursing; 848 IAC 3-5-1; filed Jul 29, 1994, 5:00 p.m.: 17 IR 2873; filed Dec 19, 1996, 10:00 a.m.: 20 IR 1123; readopted filed Jul 30, 2001, 2:07 p.m.: 24 IR 4237*)

SECTION 3. UNDER IC 4-22-2.5-3, 848 IAC 5-3-1 IS READOPTED AND AMENDED TO READ AS FOLLOWS:

**848 IAC 5-3-1 Fees for prescriptive authority**

Authority: IC 25-23-1-7

Affected: IC 25-23-1

Sec. 1. (a) The application fee for an advanced practice nurse to receive prescriptive authority shall be ~~ten fifty~~ **ten** dollars ~~(\$10)~~ **(\$50)**.

(b) The fee for renewal of advanced practice nurse prescriptive authority shall be ten dollars (\$10).

(c) **The penalty fee for late renewals is as established by the health professions bureau.**

~~(e)~~ **(d)** The fee for a duplicate ~~authorization~~ **wall** certificate for advanced practice nurse prescriptive authority shall be ten dollars (\$10).

~~(d)~~ **(e)** The fee for written verification of advanced practice nurse prescriptive authority shall be ten dollars (\$10). (*Indiana State Board of Nursing; 848 IAC 5-3-1; filed Jul 29, 1994, 5:00 p.m.: 17 IR 2879; filed Jun 6, 1996, 9:00 a.m.: 19 IR 3105; readopted filed Jul 30, 2001, 2:07 p.m.: 24 IR 4237*)

*LSA Document #01-105(F)*

*Intent to Readopt Rules Published: April 1, 2001; 24 IR 2201  
Proposed Readopted Rules Published: June 1, 2001; 24 IR 2893*

*Hearing Held: July 19, 2001*

*Approved by Attorney General: July 24, 2001*

*Approved by Governor: July 30, 2001*

*Filed with Secretary of State: July 30, 2001, 2:07 p.m.*

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## Readopted Rules

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### TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #00-321(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-22.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>852 IAC 1-1.1</b>	<b>852 IAC 1-11</b>
<b>852 IAC 1-2.1</b>	<b>852 IAC 1-12</b>
<b>852 IAC 1-3</b>	<b>852 IAC 1-13</b>
<b>852 IAC 1-5.1</b>	<b>852 IAC 1-14</b>
<b>852 IAC 1-6</b>	<b>852 IAC 1-15</b>
<b>852 IAC 1-8</b>	

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

852 IAC 1-1.1	Qualifications of Applicants
852 IAC 1-2.1	Reciprocity
852 IAC 1-3	Rules of Practice
852 IAC 1-5.1	Duty Concerning Prescriptions in Optometric Practice
852 IAC 1-6	Professional Identification
852 IAC 1-8	Board Examination
852 IAC 1-11	Competent Practice of Optometry
852 IAC 1-12	Professional Conduct Standards
852 IAC 1-13	Revocation or Suspension of License
852 IAC 1-14	Reinstatement
852 IAC 1-15	Notification of Practice Location

*LSA Document #00-321(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1131*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1964*

*Hearing Held: May 16, 2001*

*Filed with Secretary of State: July 10, 2001, 3:00 p.m.*

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### TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #00-322(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-22.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

**852 IAC 1-16**

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING IS READOPTED:

**852 IAC 1-16** Continuing Education for Renewal of License

*LSA Document #00-322(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1131*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1964*

*Hearing Held: May 16, 2001*

*Filed with Secretary of State: July 10, 2001, 2:59 p.m.*

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### TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

LSA Document #00-327(F)

#### DIGEST

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>888 IAC 1.1-1</b>	<b>888 IAC 1.1-6</b>
<b>888 IAC 1.1-2</b>	<b>888 IAC 1.1-7</b>
<b>888 IAC 1.1-4</b>	<b>888 IAC 1.1-8</b>
<b>888 IAC 1.1-5-2</b>	<b>888 IAC 1.1-9</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING ARE READOPTED:

888 IAC 1.1-1	Veterinarians
888 IAC 1.1-2	Registered Veterinary Technicians
888 IAC 1.1-4	Veterinary Practice Facilities
888 IAC 1.1-5-2	Animal health records
888 IAC 1.1-6	Application for License as a Veterinarian
888 IAC 1.1-7	Application for Veterinary License; Endorsement
888 IAC 1.1-8	Application for Registration as a Veterinary Technician; Examination
888 IAC 1.1-9	Application for Registration as a Veterinary Technician; Endorsement

*LSA Document #00-327(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR 1134*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR 1971*

*Hearing Held: May 30, 2001*

*Filed with Secretary of State: July 18, 2001, 10:20 a.m.*

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## Readopted Rules

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### **TITLE 896 BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS**

LSA Document #00-328(F)

#### **DIGEST**

Readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Effective 30 days after filing with the secretary of state.

<b>896 IAC 1-1-1</b>	<b>896 IAC 1-2-1</b>
<b>896 IAC 1-1-2</b>	<b>896 IAC 1-2-2</b>
<b>896 IAC 1-1-3</b>	<b>896 IAC 1-2-3</b>

SECTION 1. UNDER IC 4-22-2.5-4, THE FOLLOWING  
ARE READOPTED:

896 IAC 1-1-1	Definitions
896 IAC 1-1-2	Standards of competency
896 IAC 1-1-3	Establishing competence; peer review
896 IAC 1-2-1	Examination; deadline for applications
896 IAC 1-2-2	Application for registration by reciprocity
896 IAC 1-2-3	Information not yet received; effect

*LSA Document #00-328(F)*

*Intent to Readopt Rules Published: January 1, 2001; 24 IR  
1135*

*Proposed Readopted Rules Published: March 1, 2001; 24 IR  
1971*

*Hearing Held: May 17, 2001*

*Filed with Secretary of State: July 10, 2001, 2:58 p.m.*

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